

# MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

## REGULAR MEETING OF

### JULY 13, 2001

(Published July 21, 2001, in *Finance and Commerce*)

Room 132, City Hall.

250 South 5<sup>th</sup> Street

Minneapolis, Minnesota

July 13, 2001 - 9:30 a.m.

Council President Cherryhomes in the Chair.

Present - Council Members Ostrow, Campbell, Biernat, Goodman, Colvin Roy, McDonald, Mead, Lane, Herron, Johnson, Thurber, Council President Cherryhomes.

Absent - Niland.

Campbell moved acceptance of the minutes of the regular meeting of June 22, 2001. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and communications and reports of the City officers to proper Council committees and departments. Seconded.

Adopted upon a voice vote.

## PETITIONS AND COMMUNICATIONS

### **COMMUNITY DEVELOPMENT (See Rep):**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267065)

Lot Divisions: 1213 Spring St NE; 220-16th Ave NE; 5214 Girard Ave N.

Lowry Avenue Corridor Project: Request appropriation increase to reflect funds made available by the Hennepin County Housing & Redevelopment Authority.

Affordable Housing Incentive Fund Program: Resolution authorizing participation of Hennepin County Housing & Redevelopment Authority in six Mpls Projects.

### **COMMUNITY DEVELOPMENT and TRANSPORTATION & PUBLIC WORKS (See Rep):**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267066)

Parking at 11th & Harmon, LLD (Wedum Foundation): Resolution granting preliminary & final approval to issue bonds for parking ramp for use by the City & University of St. Thomas.

### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET:**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267067)

Pantages (Mann) Theatre: Status report.

### **COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):**

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267068)

427 Cedar Ave S & 247 Cedar Ave S: Request appropriation increase to fund acquisition of 247 Cedar Ave S & pay for interim improvements at 427 Cedar Ave S (Dania Hall site).

Bridgerail, LLC (AllWeather Roof, Inc): Request appropriation increase to reflect grant awarded by Metropolitan Council for pollution remediation.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267069)

Preliminary Post-Legislative MCDA Ten Year Resource Outlook Report, w/Attachments.

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (267070)

Seward NRP: Request "Early Access" NRP funds, \$177,000, for housing programs & ongoing support to NRP programs.

Standish-Ericsson NRP: Request Mpls Schools' "Second 7.5%" NRP funds, \$28,000, to support computer lab improvements at Folwell Middle School.

**COMMUNITY DEVELOPMENT and ZONING AND PLANNING (See Rep):**

PLANNING COMMISSION/DEPARTMENT (267071)

Southeast Mpls Industrial (SEMI)/Bridal Veil Area: Refined Master Plan & Final Alternative Urban Areawide Review Environmental Review.

**HEALTH AND HUMAN SERVICES:**

HEALTH AND FAMILY SUPPORT SERVICES (267072)

Child Health Assessment and Monitoring Project (CHAMP): Findings and Initial Recommendations from Survey and Birth Certificate Data on Minneapolis children ages six months to 2 1/2 years; with attachment (Department of Health & Family Support Annual Report 2000).

**HEALTH AND HUMAN SERVICES (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (267073)

New Family Center Immunization and Family Stabilization Project: Issue amended Fund Availability Notice for additional social work services.

Welfare Reform Program: Execute Joint Powers Agreement with Hennepin County for operation of program from July 1, 2001 to June 30, 2002.

**HEALTH AND HUMAN SERVICES and WAYS & MEANS/BUDGET (See Rep):**

HEALTH AND FAMILY SUPPORT SERVICES (267074)

Home Maintenance Services for Seniors: Issue Request for Proposals for limited home repair, housekeeping and chore services to Minneapolis Seniors age 62 and older.

Home Visiting Project: Accept grant award of \$160,000 and execute contract with Hennepin County to provide services to Spanish speaking pregnant and parenting teens; and Approve appropriation.

**INTERGOVERNMENTAL RELATIONS:**

LIAISON/FEDERAL, LOCAL AND STATE (267075)

Legislative Actions of 2001: Summary of actions affecting City.

**PUBLIC SAFETY AND REGULATORY SERVICES:**

LICENSES AND CONSUMER SERVICES (267076)

Possible Shutdown of State Gambling & Liquor Commission: Report on potential impact on issuance of liquor and gambling licenses.

Tobacco Enforcement: Update report on penalty matrix; and Request for staff direction for potential changes to penalty for third violation; with attachments.

**PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):**

INSPECTIONS DEPARTMENT (267077)

Raze: a) 2701 Emerson Av N (Ward 3); b) 4110 E Lake St (Ward 9).

LICENSES AND CONSUMER SERVICES (267078)

Pepperoni's (3554 Penn Av N): Deny application to renew On-Sale Beer Class E License.

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (267079)

Temporary On-Sale Liquor Licenses: Ordinance amending Title 14, Chapter 362 of Code relating to Liquor and Beer: Liquor Licenses, amending requirements on the issuance of temporary on-sale liquor licenses in accordance with State Statute.

Temporary On-Sale Beer Licenses: Ordinance amending Title 14, Chapter 366 of Code relating to Liquor and Beer: Beer Licenses, allowing the Director of Licenses & Consumer Services to grant temporary on-sale beer licenses in certain instances.

Places of Entertainment: Ordinance amending Title 13, Chapter 267 of Code relating to Licenses and Business Regulations: Amusements, changing provisions of Article XI Places of Entertainment.

**PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):**

**COORDINATOR (267080)**

Office Space for Police Downtown Command: Amend Lease Agreement with 25-33 Building LLC to extend lease to October 30, 2002; increase the annual base rent to \$9.30 per rentable square foot; and include additional monthly payment of \$3,400 due March through July, 2002 for new carpet and paint on first floor.

**FIRE DEPARTMENT (267081)**

Emergency Medical Service Training and Testing for the Fire Department: Accept low bid and execute contract with Hennepin County Medical Center at designated Fire Department Training Facilities.

**POLICE DEPARTMENT (267082)**

COPS In School Grant: Accept three-year grant award of \$500,000 and execute Grant Agreement with United States Department of Justice, Office of Community Oriented Policing Services to fund four police officers assigned to Minneapolis public schools; and Approve appropriation.

Impaired Motorcycle Riders: Execute Law Enforcement Impaired Rider Grant Agreement with Comprehensive Safety Systems, on contract with Minnesota Department of Public Safety, to fund overtime expenses for sworn officers to target enforcement of violations for riding a motorcycle while impaired by alcohol or drugs; and Approve appropriation.

**TRANSPORTATION AND PUBLIC WORKS:**

**PUBLIC WORKS AND ENGINEERING (267083)**

Light Rail Transit: Set public hearing on preliminary design plans for 1st Av N to Northstar Corridor.

Minneapolis Refuse, Inc.: Update on contract negotiations.

Light Rail Transit: City cost participation update.

Traffic Zones, Restrictions & Controls: Quarterly report.

**AQUATENNIAL ASSOCIATION (267084)**

2001 Aquatennial Festival: Blanket application & schedule of events and locations.

**TRANSPORTATION AND PUBLIC WORKS (See Rep):**

**PUBLIC WORKS AND ENGINEERING (267085)**

Roadway Maintenance: Agreement with MnDOT for City provision of routine maintenance of certain trunk highways & bridges.

Traffic Signal Control: Agreement with Fortran Traffic Systems for system maintenance.

Park Ramp Computerized Management System: Amend contract with Gatekeeper Systems to extend term and provide additional funds.

Nicollet St Bridge Project: Final payment of City costs to MnDOT.

54th St E Reconstruction Project: Approve holding the State harmless for design variance.

Vacated City Right of Way at Portland Av & 11th St E: Execute quit claim deed to clear title for vacation to Apex Asset Management Corporation.

Renaming of Private Road: Vacated portion of 4th Av S from "Honeywell Plaza" to "Wells Fargo Way".

Currie Av N Equipment Facilities Project: Extend environmental consulting contract with Eneco Tech Midwest.

Northstar Commuter Rail Project: Comments on preliminary engineering documents.

Bikeway Planning: City 5 Year Bikeways Plan & Bikeways Master Plan

**TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):**

**PUBLIC WORKS AND ENGINEERING (267086)**

Alley Resurfacing Project (3800 block, Washburn to Xerxes Av S): Order project to proceed, adopt special assessments and requesting sale of assessment bonds.

Sale of City-Owned Property (2937 Lyndale Av S): Authorize sale to Atticus Development Group.

Areaway Abandonment at 300-314 Washington Av N: Receive project cost estimate, receive petition requesting work, order the project to proceed, adopt special assessments, increase appropriation and request sale of assessment bonds.

Kenwood Water Tower: Lease agreement with Minnesota Public Radio to allow location of a FM translator on water tower.

Near Northside Redevelopment Project, Phase I, Infrastructure Improvements: Receive cost estimate, receive petition requesting work, order project to proceed, increase appropriation and request sale of assessment bonds.

Beltrami Neighborhood: Traffic calming measures.

Lowry Hill Neighborhood: Traffic calming measures.

Lynnhurst Neighborhood: Traffic calming measures.

Como Neighborhood: Traffic calming measures.

Tangletown Neighborhood: Traffic calming measures.

**PUBLIC WORKS AND ENGINEERING (267087)**

Light Rail Transit, City Utility Relocation: Increase construction cooperation agreement with MnDOT and Metropolitan Council.

**PURCHASING (267088)**

Bid Increase: OP #5605, increase contract with Minnesota Native Landscapes.

**WAYS AND MEANS BUDGET:**

**ATTORNEY (267089)**

Audit of the Northside Economic Development Council: Receive and File report.

**CONVENTION CENTER (267090)**

Convention Center Expansion Project: Receive and File change management actions.

**COORDINATOR (267091)**

New Central Library Project: Receive and File report on architectural/engineering selection process.

**WAYS AND MEANS BUDGET (See Rep):**

**ATTORNEY (267092)**

Workers' Compensation: Settlement Agreement with Susan Nelson.

**CONVENTION CENTER (267093)**

Convention Center Expansion Project Change Orders: Contract with Shaw-Lundquist Associates, Inc; Contract with Harris Mechanical; Contracts with Havens Steel Company.

**COORDINATOR (267094)**

Many Rivers Project: Grant agreement with Metropolitan Council.

Near North Neighborhood: Grant contract with Metropolitan Council.

Jack Frost Flats Project: Amended & Restated Master Subordination Agreement & Estoppel Certificate.

**FINANCE DEPARTMENT (267095)**

Utility Billing Insert: Information on the new Skyway Senior Center.

**HUMAN RESOURCES (267096)**

Appointed Positions in Human Resources Department: Approve revisions.

Labor Agreement: Revised Salary Ordinance for Minneapolis Building Trades, Inspectors' Unit.

Labor Agreement: Revised Salary Ordinance for Plumbers Union, Local #15.

Labor Agreement: Salary Ordinance for International Union of Operating Engineers, Local #49.

2001 Salary Adjustments: Salary Ordinance for International Brotherhood of Electrical Workers, Local #292, Electricians' Unit.

**INFORMATION AND TECHNOLOGY SERVICES (ITS) (267097)**

Information & Technology Services Relocation Costs: Carryover of unspent 2000 funds.

Information & Technology Services 2000 Purchase Commitments: Carryover of unspent 2000 funds.

**REGULATORY SERVICES (267098)**

Donation: Funds for Inter-nasal Vaccinations for Cats & Dogs.

Middle Mississippi River Watershed Management Organization: Draft 2002 Capital Plan.

**WAYS AND MEANS BUDGET and ZONING AND PLANNING (See Rep):**

**PLANNING COMMISSION/DEPARTMENT (267099)**

Downtown East/North Loop Master Plan: Contract with IBI Group, Inc.

**PURCHASING (267100)**

Bid: OP #5659: Low base bid minus Alternate 1 from Arrigoni Brothers Company.

**ZONING AND PLANNING (See Rep):**

**INSPECTIONS/BOARD OF ADJUSTMENT (267101)**

American Red Cross, 1201 W River Parkway: Grant appeal to remove condition on sign variance regarding hours of lighting, allowing 24-hour-a-day lighting; Appeal & rationale therefor; Staff report with findings & recommendation, drawings, comments of East Downtown Council, photos, Board of Adjustment minutes.

**CITY CLERK/SPECIAL PERMITS (267102)**

22nd Av S, 4025 (Jason Landis) build deck.

**PLANNING COMMISSION/DEPARTMENT (267103)**

American Indian Housing & Community Development Corp, 1400-1410 E Franklin Av, 1921 14th Av S & 1915 14th Av S: Grant application for alley vacation & rezoning; Staff report with findings & recommendation, maps, drawings, photos, comments of Lisa Kugler & Ventura Village, previous uses of site; legal description of lots to be rezoned.

American Indian Housing & Community Development Corp, 1500-1510 E Franklin Av, 1909-1913 15th Av S: Grant application for alley vacation & rezoning; Staff report with findings & recommendation, maps, drawings, photos, comments of Lisa Kugler & Ventura Village, previous uses of site; legal description of lots to be rezoned.

Gregory, Arnold (Hunt Gregory, St Anthony site): Grant application to vacate alley in block bounded by 1st Av NE, 2nd Av NE, Main St NE & 2nd St NE; Staff report with findings & recommendation, photo, drawing.

Summary of Planning Commission actions taken June 19, 2001.

**PLANNING COMMISSION/DEPARTMENT (267104)**

University of St Thomas, 1125 Harmon Place, 55 11th St S, 36 12th St S, 44 12th St S, 69 11th St S & 1128 LaSalle Av: Approve application for interim use permit to allow 156- car, surface parking lot; Staff report with findings & recommendation, drawings, statements of St Thomas re 5-year expansion plan & 10 year plan, photos, list of neighborhood meetings.

**PLANNING COMMISSION:**

**WORLD MISSION PRAYER LEAGUE (267105)**

Permission to vacate the dead end east of Groveland & Clifton Pl, north of 94 on Clifton Av, directly in front of 228 Clifton Av.

**MOTIONS:**

**XCEL ENERGY (267106)**

Utilities: Placement of poles at various locations.

**FILED:**

CITY CLERK/SPECIAL PERMITS (267107)

14th Av SE, 315 (Ragstock) sidewalk sale;

34th Av S, 4950 (Nokomis Shoe Shop) sidewalk sale;

49th St alley between Sheridan & Thomas Aves S (Lorraine Mesken) canopy;

Bryant/Broadway - Hawthorne Crossing (Bazaar on Broadway) temporary Saturday sales;

Excelsior Blvd, 3205 (Americana Fireworks Display) fireworks;

Industrial Blvd, 701 (Scenic Sign Corp) sign;

Lake St E, 800 (Suburban Lighting) sign;

Lyndale Av S, 2225 (Lyndale House Antiques) parking lot sale (2 permits);

Nicollet Mall from 9th to 12th Sts (Minneapolis Downtown Council) 4th Annual Oyster Fest;

NSP Island; Main St SE, 206; 3rd Av Bridge (Aquatennial) fireworks;

Peavey Plaza (Minneapolis Downtown Council) Craft Brewer's Association Beer Tasting;

Various locations (Kay Kirscht) sidewalk art;

Vineland Pl, 725 (Walker Art Center) tent (3 permits);

West Broadway, 1604 (Suburban Lighting) sign.

COMMUNITY DEVELOPMENT AGENCY, MINNEAPOLIS (MCDA) (267108)

Comprehensive Annual Financial Report for the fiscal year ended December 31, 2000.

FINANCE DEPARTMENT (267109)

Comprehensive Annual Financial Report, year ended December 31, 2000.

MINNESOTA STATE OFFICES-AUDITOR (267110)

Management and compliance report on the Minneapolis Park and Recreation Board for the year ended December 31, 2000.

MINNESOTA STATE OFFICES-Trade & Economic Dev (267111)

Letter relating suspension of all work, activity & performances under contracts or agreements with an expiration date after June 30, 2001 &/or new contracts or agreements that are to become effective on or after July 1, 2001 until the Minnesota State Legislature appropriates funds.

**REPORTS OF  
STANDING COMMITTEES**

The **COMMUNITY DEVELOPMENT** Committee submitted the following reports:

**Comm Dev** - Your Committee, having under consideration the division of the lot at 1213 Spring St NE, as set forth in Petn No 267065, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-280**

**By Niland**

**Approving the subdivision of a lot at 1213 Spring Street NE.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 1213 Spring Street NE and legally described as Lots 25, 28, and 29, Block 9, Ramsey, Lockwood and Others' Addition to St. Anthony, except the East or Front 83 and one-half feet thereof be subdivided as follows:

**TF-460A:** Lot 25, except the East or Front 83 and one-half feet thereof, Block 9, Ramsey, Lockwood and Others' Addition to St. Anthony;

**TF-460B:** Lots 28 and 29, except the East or Front 83 and one-half feet of said Lots, Block 9, Ramsey, Lockwood and Others' Addition to St. Anthony; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

**(TF-460A) 610 Pierce Street NE:** The East 83 and one-half feet of Lot 25, Block 9, Ramsey, Lockwood and Others' Addition to St. Anthony;

**(TF-460B):** To be determined; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on June 1, 2001, a public hearing on said subdivision and proposed sale was continued on June 11, 2001 and duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 4:00 p.m., June 25, 2001, in Room 132, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee, having under consideration the division of the lot at 220 - 16<sup>th</sup> Ave NE, as set forth in Petn No 267065, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 2001R-281**

**By Niland**

#### **Approving the subdivision of a lot at 220 - 16<sup>th</sup> Avenue North.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 220 - 16<sup>th</sup> Avenue North and legally described as the West 35 5/10 feet of the East one-half of Lot 5, Block 22, Bottineau's Second Addition to Town of St. Anthony be subdivided as follows:

**Parcel 605A:** The East 24.5 feet of the West 35 5/10 feet of the East one-half of Lot 5, Block 22, Bottineau's Second Addition to Town of St. Anthony;

**Parcel 605B:** The West 11 feet of the East one-half of Lot 5, Block 22, Bottineau's Second Addition to Town of St. Anthony; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

**1530 - 3<sup>rd</sup> Street NE (605A):** The East 47 feet of Lot 5, Block 22, Bottineau's Second Addition to Town of St. Anthony;

**214 - 16<sup>th</sup> Avenue NE (605B):** The West one-half of Lot 5, Block 22, Bottineau's Second Addition to Town of St. Anthony; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 15, 2001, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 4:00 p.m., June 25, 2001, in Room 132, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee, having under consideration the division of the lot at 5214 Girard Ave N, as set forth in Petn No 267065, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 2001R-282**

**By Niland**

#### **Approving the subdivision of a lot at 5214 Girard Avenue North.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 5214 Girard Avenue North and legally described as Lots 14 and 15, Block 3, Kenmore Krest, Addition to Minneapolis and Lot 6, Block 3, LeBaron's First Addition to Minneapolis be subdivided as follows:

**VH-12A:** The North 9 feet of Lot 15, Block 3, Kenmore Krest Addition to Minneapolis;

**VH-12B:** Lot 14 and all of Lot 15, except the North 9 feet thereof, Block 3, Kenmore Krest Addition to Minneapolis and all of Lot 6, except the South 9 feet thereof, Block 3, LeBaron's First Addition to Minneapolis;

**VH-12C:** The South 9 feet of Lot 6, Block 3, LeBaron's First Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

**(VH-12A) 5218 Girard Avenue North:** Lot 16, Block 3, Kenmore Krest Addition to Minneapolis;

**(VH-12B) 5214 Girard Avenue North:** As described above;

**(VH-12C) 5206 Girard Avenue North:** Lot 5, Block 3, LeBaron's First Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 62.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and



Whereas, pursuant to due notice thereof published in Finance and Commerce on June 15, 2001, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 4:00 p.m., June 25, 2001, in Room 132, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund GEN0 (MCDA General Fund) by \$1,000,000 and increasing the Fund GEN0 revenue budget by \$1,000,000 to reflect funds made available through the Hennepin County Housing and Redevelopment Authority for site assembly, interim property management and other approved project costs relating to the Lowry Avenue Corridor Project.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 2001R-283**

**By Niland**

#### **Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund GEN0 - MCDA General by \$1,000,000 and increasing the Fund GEN0 revenue estimate (3455-01 Other Services Provided) by \$1,000,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev** - Your Committee, having under consideration participation of the Hennepin County Housing and Redevelopment Authority (HCHRA) in six Minneapolis projects (The Lamoreaux, \$300,000; Pine Cliff Apartments, \$100,000; Park Plaza, \$350,000; Property Flipping, \$200,000; Hope Harbor, \$275,000; and Central Avenue Apartments, \$500,000), now recommends passage of the accompanying resolution authorizing the HCHRA to provide assistance, through the HCHRA Affordable Housing Incentive Fund, in the City of Minneapolis, and directing the execution of an agreement by the Minneapolis Community Development Agency (MCDA) with the HCHRA for the provision of loans from its Affordable Housing Incentive Fund to assist in financing various Minneapolis housing projects.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-284**

**By Niland**

**Authorizing the Hennepin County Housing and Redevelopment Authority (HCHRA) to provide assistance through the HCHRA Affordable Housing Incentive Fund in the City of Minneapolis and directing the execution of an agreement by the Minneapolis Community Development Agency (MCDA) with the HCHRA for the provision of loans from its Affordable Housing Incentive Fund to assist in financing various Minneapolis housing projects.**

Whereas, the Hennepin County Housing and Redevelopment Authority in Resolution No. 12-HCHRA-00R1 has approved the use of a \$300,000 Affordable Housing Incentive Fund loan for the Lamoreaux project, contingent upon approval by the City of Minneapolis; and

Whereas, the Hennepin County Housing and Redevelopment Authority in Resolution No. 12-HCHRA-00R1 has approved the use of a \$100,000 Affordable Housing Incentive Fund loan for the Pine Cliff Apartments project, contingent upon approval by the City of Minneapolis; and

Whereas, the Hennepin County Housing and Redevelopment Authority in Resolution No. 12-HCHRA-00R1 has approved the use of a \$350,000 Affordable Housing Incentive Fund loan for the Park Plaza project, contingent upon approval by the City of Minneapolis; and

Whereas, the Hennepin County Housing and Redevelopment Authority in Resolution No. 12-HCHRA-00R1 has approved the use of a \$200,000 Affordable Housing Incentive Fund loan for the Property Flipping project, contingent upon approval by the City of Minneapolis; and

Whereas, the Hennepin County Housing and Redevelopment Authority in Resolution No. 12-HCHRA-00R1 has approved the use of a \$275,000 Affordable Housing Incentive Fund loan for the Hope Harbor project, contingent upon approval by the City of Minneapolis; and

Whereas, the Hennepin County Housing and Redevelopment Authority in Resolution No. 12-HCHRA-00R1 has approved the use of a \$500,000 Affordable Housing Incentive Fund loan for the Central Avenue Apartments project, contingent upon approval by the City of Minneapolis; and

Whereas, the Lamoreaux project will increase/preserve the supply of affordable housing in the City of Minneapolis by providing/preserving 59 housing units; and

Whereas, the Pine Cliff Apartments project will increase/preserve the supply of affordable housing in the City of Minneapolis by providing/preserving 30 housing units; and

Whereas, the Park Plaza project will increase/preserve the supply of affordable housing in the City of Minneapolis by providing/preserving 134 housing units; and

Whereas, the Property Flipping project will increase/preserve the supply of affordable housing in the City of Minneapolis by providing/preserving up to 50 housing units; and

Whereas, the Hope Harbor project will increase/preserve the supply of affordable housing in the City of Minneapolis by providing/preserving 96 housing units; and

Whereas, the Central Avenue Apartments project will increase/preserve the supply of affordable housing in the City of Minneapolis by providing/preserving 62 housing units;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Hennepin County Housing and Redevelopment Authority is authorized to provide assistance through its Affordable Housing Incentive Fund in the City of Minneapolis.

Be It Further Resolved that the MCDA is authorized to accept participation by the Hennepin County Housing and Redevelopment Authority through its Affordable Housing Incentive Fund at the Lamoreaux, Pine Cliff Apartments, Park Plaza, Property Flipping, Hope Harbor and Central Avenue Apartments projects.

Be It Further Resolved that the City Council directs the MCDA to enter into a "memorandum of understanding" with the Hennepin County Housing and Redevelopment Authority to facilitate the provision of assistance from the Hennepin County Housing and Redevelopment Authority Affordable Housing Incentive Fund for subsequent housing projects.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **TRANSPORTATION & PUBLIC WORKS** Committees submitted the following report:

**Comm Dev & T&PW** - Your Committee, having under consideration the matter of issuing revenue bonds on behalf of 11<sup>th</sup> & Harmon, LLC (Wedum Foundation) to finance a 600 stall parking ramp on the 1100 block of Harmon Place for the benefit of the City of Minneapolis and the University of St. Thomas, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution granting preliminary and final approval to issue up to \$10 million in Tax-exempt Revenue Bonds for the project, as set forth in Petn No 267066.

Your Committee further recommends summary publication of the above-described resolution.

Your Committee further recommends approval of the Parking Operations Agreement set forth in Petn No 267066.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-285, authorizing the issuance and sale of revenue bonds to provide funds for a project on behalf of Parking at 11th & Harmon, LLC (Wedum Foundation), for a 600 stall parking ramp on the 1100 block of Harmon Place, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2001R-285**

**By Niland and Mead**

**Authorizing the issuance and sale of revenue bonds to provide funds for a project on behalf of Parking at 11th & Harmon, LLC.**

Whereas, the City of Minneapolis, Minnesota (the "City") is, by the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Sections 469.152 to 469.165, as amended (the "Act"), authorized to issue and sell its revenue bonds for the purpose of financing costs of authorized projects and to enter into agreements necessary or convenient in the exercise of the powers granted by the Act; and

Whereas, Parking at 11th & Harmon, LLC, a Minnesota limited liability company (the "Owner"), of which the Wedum Foundation, a Minnesota nonprofit corporation, is the sole member, has proposed to this Council that the City issue and sell its City of Minneapolis Revenue Bonds, Series 2001 (Parking at 11th & Harmon, LLC Project) (the "Bonds"), in an aggregate principal amount not to exceed \$10,000,000 pursuant to the Act and loan the proceeds thereof to the Owner in order to finance a project consisting of the construction of a 600 stall parking ramp, including 4000 square feet of retail space at ground level (the "Project") to be located in downtown Minneapolis on property bounded by 11<sup>th</sup> Street to the north and Harmon Avenue to the east; and

Whereas, as required by the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, the City Council of the City conducted a public hearing on Monday, June 25, 2001, on the proposal to undertake and finance the Project after publication in the official newspaper and a newspaper of general circulation in the City of a notice setting forth the time and place of hearing; stating the general nature of the Project and an estimate of the principal amount of bonds or other obligations to be issued to finance the Project; stating that a draft copy of the proposed Application to the Minnesota Department of Trade and Economic Development (the "Department"), together with all attachments and exhibits thereto, was available for public inspection at the offices of the City, at all times between the hours of 8:00 A.M. to 4:30 P.M. Monday to Friday, except legal holidays to and including the day of hearing; and

Whereas, this City Council has been advised that conventional, commercial financing to pay the capital costs of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but the City Council has been further advised that with the aid of municipal financing and resulting low borrowing costs, the Project is economically more feasible; and

Whereas, the Bonds will be issued under an Indenture of Trust (the "Indenture"), and the proceeds of the Bonds will be loaned to the Owner pursuant to a Loan Agreement (the "Loan Agreement"), and the Bonds will be secured by a pledge of all rights and revenues derived by the City from the Loan Agreement (except certain retained rights of the City), and said Bonds and the interest on said Bonds shall be payable solely from the revenues pledged therefor and the Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation nor give rise to a pecuniary liability of the City or a charge against its general credit or assets and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than the City's interest in said Project; and

Whereas, forms of the following documents (including the exhibits referred to therein) have been submitted to the City:

a. The Indenture to be made and entered into between the City and the trustee named therein (the "Trustee"), providing for the issuance of the Bonds, prescribing the form thereof, pledging the trust estate described therein for the security of the Bonds, and setting forth proposed recitals, covenants and agreements by the parties with respect thereto;

b. The Loan Agreement to be made and entered into between the City and the Owner, providing for the loan of the proceeds of the Bonds to the Owner, and for the repayment of such loan; and

c. A Combination Mortgage, Security Agreement, Fixture Financing Statement and Assignment of Leases and Rents (the "Mortgage"), from the Owner to the City, and an Assignment of Mortgage from the City to the Trustee, providing for a mortgage lien on the Project as security for the Bonds. The agreements described and referred to in paragraphs a, b and c above shall hereinafter sometimes be referred to collectively as the "Agreements;"

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it is hereby found, determined and declared that:

a. The issuance and sale of the Bonds by the City, and the execution and delivery of the Agreements and the performance of all covenants and agreements of the City contained therein and of all other acts and things required under the Constitution and Laws of the State of Minnesota to make the Agreements and the Bonds valid and binding obligations of the City in accordance with their terms, are authorized by the Act;

b. It is desirable that the Bonds in the principal amount not to exceed \$10,000,000 be issued by the City, on the terms set forth in the Indenture;

c. The payments required or provided for by the Agreements are intended to produce income and revenues sufficient to provide for the payment when due of principal of and interest on all Bonds issued under the Indenture, and payments are required to be made for such expenses of, among other things, administration of the program, as will be necessary to protect the interests of the City and the Trustee;

d. Pursuant to the provisions of the Act, and as provided in the Agreements, the Bonds shall be retired solely from amounts derived from the Loan Agreement, including the revenues of the Project; and

e. It is hereby found, determined and declared that the Project furthers the purposes set forth in the Act by promoting, attracting, encouraging and developing economically sound industry and commerce through governmental action.

Be It Further Resolved that the Agreements in substantially the forms submitted to the City at this meeting are hereby approved. Such of the documents as require the execution of the City are hereby authorized and directed to be executed or accepted, as the case may be, and delivered in the name and on behalf of the City by its Mayor, City Clerk and Finance Officer upon execution thereof by the parties thereto as appropriate. The Bonds and the Agreements shall be executed and delivered as provided therein. Copies of all the documents necessary for the consummation of the transactions described herein and in the Agreements shall be delivered, filed and recorded as provided herein and in the Agreements.

Be It Further Resolved that the form and terms of the Agreements may be varied prior to execution and delivery by the parties thereto, provided that any such variance shall not be, in the opinion of the City's legal counsel and the Mayor, materially adverse to the interests of the City. The execution and delivery of the Agreements as provided above shall be conclusive evidence of the determination that any such variance was not materially adverse to the interests of the City.

Be It Further Resolved that in anticipation of the collection of revenues of the Project, there shall be issued forthwith the Bonds, in the aggregate principal amount not to exceed \$10,000,000, which issuance is approved, substantially in the forms and upon the terms set forth in the Indenture, the terms of which are for this purpose incorporated in this resolution and made a part hereof as if fully set forth herein. The Bonds shall be dated as of the date and shall mature on the dates (subject to redemption on such earlier dates as provided in the Indenture), bear interest and be payable at the rates, all determined as set forth in the Indenture, provided that such rates shall result in an average coupon rate not greater than 6.75% per annum, and the final maturity for the Bonds shall not be later than thirty (30) years from their date of issuance.

Be It Further Resolved that the private sale of the Bonds to sophisticated investors executing an Investor Representations Letter in a form approved by Bond Counsel is hereby authorized.

Be It Further Resolved that in accordance with the requirements of the Act, officers of the City are hereby authorized and directed to submit the proposal for the Project to the Department to request its approval thereof, and City officers, employees, and agents are hereby authorized to provide the Department with such information as it may require.

Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in connection with the proposed issuance of the Bonds are hereby approved, ratified and confirmed.

Be It Further Resolved that the Mayor, City Clerk, Finance Officer and other officers of the City are authorized and directed to prepare and furnish when the Bonds are issued, certified copies of all proceedings and records of the City relating to the Bonds and such other affidavits and certificates (including but not limited to those required by bond counsel) as may be required to show the facts relating to the legality, tax exemption and marketability of the Bonds as such facts appear from the books and records in said officers' custody and control or as otherwise known to them; and all such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements made by the City and contained therein. The Mayor, City Clerk, Finance Officer and said officers are further authorized to execute such additional documents as shall be determined by the Mayor to be necessary and desirable to provide for the issuance of the Bonds.

Be It Further Resolved that all covenants, stipulations, obligations and agreements of the City contained in this resolution and the aforementioned documents shall be deemed to be the covenants, stipulations, obligations and agreements of the City to the full extent authorized or permitted by law, and all such covenants, stipulations, obligations and agreements shall be binding upon the City. Except as otherwise provided in this resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the City by the provisions of this resolution or of the aforementioned documents shall be exercised or performed by the City or by such members of the City, or such officers, board, body or agency thereof as may be required or authorized by law to exercise such powers and to perform such duties.

No covenant, stipulation, obligation or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation or agreement of any member of the City, or any officer, agent or employee of the City in that person's individual capacity, and neither the City Council nor any officer or employee executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

No provision, covenant or agreement contained in the aforementioned documents, the Bonds or in any other document related to the Bonds, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Project or the proceeds of the Bonds which are to be applied to the payment of the Bonds, as provided therein and in the Indenture. The Bonds shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property or funds of the City except the revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Bonds shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal of the Bonds or the interest thereon, or to enforce payment thereof against any property of the City. The Bonds shall recite in substance that the Bonds, including the interest thereon, are payable solely from the revenues and proceeds pledged to the payment thereof. The Bonds shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied is intended or shall be construed to confer upon any person or firm or Owner, other than the City or any holder of the Bonds issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provision hereof, this resolution, the aforementioned documents and all of their provisions being intended to be and being for the sole and exclusive benefit of the City and any holder from time to time of the Bonds issued under the provisions of this resolution.

Be It Further Resolved that in case any one or more of the provisions of this resolution, or of the aforementioned documents, or of the Bonds issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Bonds, but this resolution, the aforementioned documents, and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Be It Further Resolved that the Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act, and such recital shall be conclusive evidence of the validity of the Bonds and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Bonds and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Bonds and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

Be It Further Resolved that in the event any of the officers of the City authorized to execute documents on behalf of the City under this resolution shall have resigned or shall for any reason be unable to do so, any member of the City Council, or officer of the City, is hereby directed and authorized to do so on behalf of the City, with the same effect as if executed by the officer authorized to do so in this resolution.

Be It Further Resolved that the Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that this Resolution shall take effect upon publication.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**Comm Dev & W&M/Budget** - Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund CAZ0 (Common Project) by \$36,000 and increasing the appropriation in Fund CAD0 (Tax Increment Administration) by \$1,080 to fund acquisition of 247 Cedar Ave S and pay for interim improvements at 427 Cedar Ave S (Dania Hall site).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-286**

**By Niland and Campbell**

**Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund CAZ0 - Common Project by \$36,000 from available fund balance; and

b) Increasing the appropriation in Fund CAD0 - Tax Increment Administration by \$1,080 from available fund balance.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** – Your Committee recommends passage of the accompanying resolution increasing the Minneapolis Community Development Agency (MCDA) appropriation in Fund SMN0 (State Grants & Loans) by \$635,708 and increasing the Fund SMN0 2001 revenue estimate by \$635,708 to reflect funds received from the Metropolitan Council through the Metropolitan Livable Communities Act, Tax Base Revitalization Account Grant, for the environmental cleanup of the site for the Bridgerail LLC project, a redevelopment for AllWeather Roof, Inc.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-287**

**By Niland and Campbell**

**Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in Fund SMN0 - MCDA State Grants & Loans by \$635,708 and increasing the Fund SMN0 revenue estimate (3215-13 Other MN Grantor Agencies) by \$635,708.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Seward Neighborhood Group's request for early access to NRP Phase II funds in the amount of \$177,000 to support Seward Neighborhood Group's 2001 Housing Programs (\$142,000) and to provide ongoing implementation support to NRP strategies (\$35,000), as set forth in Petn No 267070, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$177,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Goodman moved that the report be referred back to the Community Development and Ways & Means/Budget Committees. Seconded.

Adopted upon a voice vote.

**Comm Dev & W&M/Budget** - Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of Minneapolis Schools "Second 7.5%" NRP funds in the amount of \$28,000 to support computer lab improvements at the Folwell Middle School, as part of the Standish-Ericsson NRP Action Plan, as set forth in Petn No 267070, now recommends:

1. Approval of the use of \$28,000 of the Minneapolis Public Schools "Second 7.5%" NRP funds to help implement strategies in said Plan;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR0) by \$28,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said Plan; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-288**

**By Niland and Campbell**

**Amending The 2001 Minneapolis Community Development Agency Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR0 - NRP Program by \$28,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.



**Comm Dev & W&M/Budget** - Your Committee, having under consideration a report on recent State legislation and its impact on finances of the City, the Neighborhood Revitalization Program and the Minneapolis Community Development Agency (MCDA) entitled "Preliminary Post-legislative MCDA Ten Year Resource Outlook" as set forth in Petn No 267069, now recommends passage of the accompanying resolution directing the appropriate staff to analyze MCDA finances, programs, operations, projected revenues and expenditures over the next ten years.

Biernat moved to substitute the following resolution for the above-described resolution. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-289**

**By Biernat, Cherryhomes**

**Directing the staff team appointed by the Mayor and Council President and chaired by the City Coordinator to analyze Minneapolis Community Development Agency (MCDA) finances, projected revenues and expenditures over the next ten years.**

Whereas, the recent actions of the State Legislature have caused great uncertainty in the on-going funding of both the Minneapolis Community Development Agency (MCDA) and the Neighborhood Revitalization Program (NRP);

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis, through the staff team appointed by the Mayor and Council President and chaired by the City Coordinator analyze MCDA finances, projected revenues and expenditures over the next ten years, including expected tax increment and expenditures (including tax increment financing bond payments for each tax increment financing district), and report back to the Community Development Operating Committee as part of the 2002 budget deliberations.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **ZONING & PLANNING** Committees submitted the following report:

**Comm Dev & Z&P** - Your Committee, having under consideration the five-volume Final Alternative Urban Areawide Review (AUAR) for the Southeast Minneapolis Industrial (SEMI)/Bridal Veil area, and the Refined Master Plan, as set forth in Petn No 267071, now recommends approval of the Refined Master Plan for the SEMI/Bridal Veil area.

Your Committee further recommends approval of the AUAR Environmental Review and Mitigation Plan for the SEMI/Bridal Veil area.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** Committee submitted the following reports:

**H&HS** - Your Committee, having under consideration the New Family Center Immunization and Family Stabilization Project, now recommends that the proper City Officers be authorized to issue

amended Fund Availability Notice #Y9-1b, under Master Contract #10019, to the Minneapolis Public Schools, for an increased amount of \$20,000 and a new total amount not to exceed \$80,000, for social work services during the period June 1, 1999 through August 31, 2001, payable from Health & Family Support (060-860-8621).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS** - Your Committee recommends that the proper City Officers be authorized to execute a Joint Powers Agreement with Hennepin County for the operation of the Welfare Reform Program during the period July 1, 2001 through June 30, 2002. Said agreement outlines the duties of each entity and provides funding to the City for staff, costs, and training for counselors and welfare participants.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **HEALTH & HUMAN SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**H&HS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals to provide home maintenance services (limited home repair, housekeeping and chore services) to Minneapolis Seniors age 62 and older.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 16, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 17, 2001)

**H&HS & W&M/Budget** - Your Committee, having under consideration the Home Visiting Project, a collaborative effort between the City, Hennepin County and community agencies serving the Minneapolis Spanish speaking community, now recommends that the proper City Officers be authorized to accept a grant award of \$260,000 in Local Collaborative Time Study funds and to execute a Grant Agreement with Hennepin County to provide services to Spanish speaking pregnant and parenting teenagers through contracts with the Minnesota Visiting Nurse Agency and other community partners.

Your Committee further recommends passage of the accompanying Resolution appropriating \$260,000 to the Health & Family Support Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 2001R-290**

**By Herron and Campbell**

#### **Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health & Family Support Agency in the Grants - Other Fund (060-860-8623) by \$260,000 and increasing the Revenue Source (060-860-8623 - Source 3220/01) by \$260,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**H&HS & W&M/Budget** - Your Committee, to whom was referred back a report relating to the provision of employment & training, health/medical, and human/social services, and having received responses to a Request for Proposal process, now recommends approval of the following Eligible Providers List for community agencies and selected governmental entities, and that the proper City Officers be authorized to execute Master Contracts for up to a five-year period, within the time parameters of July 1, 2001 and June 30, 2006, with agencies and governmental entities on the list, as needed and in the amounts indicated, with staff being authorized to issue Fund Availability Notices when project funds become available, as long as the total amount of the Master Contract is not exceeded:

<b>Community Agencies</b>	<b>Dollars per Master Contract</b>
AccessAbility, Inc	\$ 100,000
American Indian Family Center	500,000
American Indian Opportunities Industrialization Center	1,000,000
Anishinabe Employment Services, Inc.	500,000
Boys & Girls Clubs of the Twin Cities	250,000
Catholic Charities, Seton Services	250,000
Cedar Riverside People's Center	250,000
Centre for Asians and Pacific Islanders	250,000
Centro Cultural Chicano, Inc.	250,000
Chicanos Latinos Unidos En Servicio (CLUES)	250,000
Children's Hospitals and Clinics	500,000
Children's Dental Services	600,000
Domestic Abuse Project	1,000,000
Early Childhood Resource Center	250,000
East Side Neighborhood Services	1,000,000
Face to Face Health & Counseling Service, Inc.	500,000
Family & Children's Service	100,000
Fremont Community Health Services	750,000
Glenwood Lyndale Community Center	250,000
Goodwill Industries, Inc./Easter Seals Minnesota	2,000,000
Greater Minneapolis Convention & Visitors Association	250,000
Greater Minneapolis Council of Churches	750,000
Greater Minneapolis Day Care Association	6,000,000
Harriet Tubman Center, Inc.	500,000
Hennepin Faculty Associates	250,000
HIRED	9,000,000
Hmong American Mutual Assistance Association, Inc.	2,000,000
Hmong American Partnership	100,000
Jewish Vocational Service	250,000
Legal Aid Society of Minneapolis	250,000
Lifetrack Resources	100,000
Longfellow/Seward Healthy Seniors Program	250,000
Loring Nicollet-Bethlehem Community Centers, Inc.	2,500,000
Lutheran Social Services	250,000
Minneapolis Neighborhood Employment Network (NET)	500,000

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Minneapolis Police Athletic League	250,000
Minneapolis Urban League	5,000,000
Minneapolis Youth Diversion Program	250,000
Minnesota AIDS Project	250,000
Minnesota Visiting Nurse Agency	6,000,000
MN Indian Women's Resource Center	750,000
Model Cities Health Center, Inc.	750,000
Neighborhood Health Care Network	5,000,000
Neighborhood Improvement Program	250,000
Nokomis Healthy Seniors Program	250,000
Parents in Community Action (Head Start)	750,000
Pillsbury United Communities	2,500,000
Pilot City Neighborhood Services	100,000
Planned Parenthood of MN & SD	250,000
Plymouth Christian Youth Center	250,000
Powderhorn/Phillips Cultural Wellness Center	500,000
Project for Pride in Living	100,000
Resource, Inc.	7,000,000
Reuben Lindh Family Services	100,000
Rise, Inc.	250,000
Southeast Asian Refugee Community Home (SEARCH)	500,000
Southeast Seniors, A Living at Home Block Nurse Program	250,000
Southside Community Health Services	250,000
St. Stephen's Church	100,000
Summit Academy OIC	1,500,000
Volunteers of America	750,000
West Side Community Health Services	100,000
Women Venture	500,000
YMCA of Metropolitan Minneapolis	250,000
Youth Coordinating Board	6,000,000
Youth Trust	750,000
YWCA of Minneapolis	100,000

**Governmental Entities**

Hennepin County	5,000,000
Minneapolis Park and Recreation Board	250,000
Minnesota Department of Economic Security (or its successor agency)	6,000,000
Minnesota State Colleges and Universities	500,000
Normandale Community College	250,000
Ramsey County	500,000
University of Minnesota	500,000

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 16, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.  
(Published July 17, 2001)

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:  
**PS&RS** - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, changing the requirements for the issuance of temporary on-sale liquor licenses, and permitting qualified

applicants to be granted up to 12 temporary on-sale liquor licenses per calendar year in accordance with Minnesota Statutes, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-080 amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Liquor Licenses*, amending Section 362.35 to change the requirements for the issuance of temporary on-sale liquor licenses, and permitting qualified applicants to be granted up to 12 temporary on-sale liquor licenses per calendar year in accordance with Minnesota Statutes, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-080**  
**By Biernat**  
**Intro & 1st Reading: 6/8/2001**  
**Ref to: PS&RS**  
**2nd Reading: 7/13/2001**

**Amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 362.35 (b)(1) and (c)(1), (2) and (5) of the above-entitled ordinance be amended to read as follows:

**362.35. Temporary on-sale liquor license.**

(b) Application for temporary on-sale liquor license shall be made on forms provided by the director and shall contain the following:

- (1) The name, address and purpose of the organization, together with the names and addresses of its officers and evidence of nonprofit status or of its status as a club under section ~~362.35(a)~~ 360.10 above.
- (c) A temporary on-sale liquor license may be issued subject to the following conditions:
  - (1) Such license shall be issued for a period not to exceed ~~four (4)~~ six (6) consecutive days.
  - (2) No individual organization shall be granted ~~such license~~ more than three (3) ~~times~~ four-day, four (4) three-day, six (6) two-day or twelve (12) one-day licenses in any combination not to exceed twelve (12) days per calendar year.
  - (5) No more than ~~three (3)~~ twelve (12) licenses shall be granted in any one calendar year at any location.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, to whom was referred an ordinance amending Title 14, Chapter 366 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Beer Licenses*, allowing the Director

of Licenses & Consumer Services to grant applications for temporary on-sale beer licenses in certain instances, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-081 amending Title 14 Chapter 366 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Beer Licenses*, amending Section 366.40 to allow the Director of Licenses & Consumer Services to grant applications for temporary on-sale beer licenses in certain instances, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-081**  
**By Biernat**  
**Intro & 1st Reading: 6/8/2001**  
**Ref to: PS&RS**  
**2nd Reading: 7/13/2001**

**Amending Title 14, Chapter 366 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Beer Licenses.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 366.40 of the above-entitled ordinance be amended by adding a new subdivision (e) to read as follows:

**366.40. Temporary "on sale" beer license.**

(e) Director of licenses and consumer services to grant temporary on-sale beer license in certain instances. When an application for a license for temporary on-sale beer has been filed too late to be considered on the regular agendas of the public safety and regulatory services committee and the city council prior to the scheduled date of the event, the director of licenses and consumer services may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The director may also deny, suspend or revoke those licenses which he or she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary on-sale beer license is subject to compliance with all applicable health and safety laws. Concurrence with the issuance of the temporary on-sale beer license shall be obtained from the chair of the public safety and regulatory services committee and the council member representing the affected ward prior to the issuance of the license.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Amusements, Article XI Places of Entertainment*, providing for

- a. change in the definition of a "place of entertainment";
- b. definition of a "public dance";
- c. removal of an exception for licensed places of amusement;
- d. requiring additional information to be included in an application;
- e. additional causes for the denial of an application;
- f. requiring that a complete application must be received by the City before the time limit for approval begins;
- g. hours of operation to comply with the applicable zoning ordinance; and
- h. prohibition on the presence of alcoholic beverages in a licensed premises or on a parking lot controlled by the licensee unless an appropriate temporary license has been issued, now recommends that said ordinance be given its second reading for amendment and passage.

Your Committee further recommends summary publication of the above-described ordinance.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-082 amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Amusements, Article XI Places of Entertainment*, amending Sections 267.1110, 267.1120, 267.1130, 267.1140, 267.1150, 267.1155, 267.1170, and 267.1180 to provide for the following:

- a. change in the definition of a "place of entertainment";
- b. definition of a "public dance";
- c. removal of an exception for licensed places of amusement;
- d. requiring additional information to be included in an application;
- e. additional causes for the denial of an application;
- f. requiring that a complete application must be received by the City before the time limit for approval begins;
- g. hours of operation to comply with the applicable zoning ordinance; and
- h. prohibition on the presence of alcoholic beverages in a licensed premises or on a parking lot controlled by the licensee unless an appropriate temporary license has been issued was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-082**  
**By Biernat**  
**Intro & 1st Reading: 10/13/2000**  
**Ref to: PS&RS**  
**2nd Reading: 7/13/2001**

**Amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Amusements, Article XI Places of Entertainment.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 267.1110 of the above-entitled ordinance be amended to read as follows:  
**267.1110. Definitions.** When used in this article, the following terms shall mean:

*Entertainment* includes shows, plays, skits, musical revues, children's theater, dance productions, public dance, musical concerts, opera and the production or provision of sights or sounds or visual or auditory sensations which are designed to or may divert, entertain or otherwise appeal to members of the public who are admitted to a place of entertainment, which is produced by any means, including radio,

phonograph, television, video reproduction, tape recorder, piano, orchestra or band or any other musical instrument, slide or movie projector, spotlights, or interruptible or flashing light devices and decoration.

*Place of entertainment* means any privately owned place wherein entertainment is offered or given to the public ~~for a period in excess of seven (7) calendar days in a calendar year~~, whether or not a fee is charged for admission thereto and whether or not sales of property are made upon the premises, other than religious associations or corporations organized for at least three (3) years, pursuant to Minnesota Statutes Chapter 315 or 317A, and the following activities licensed by the city pursuant to provisions of this Code of Ordinances: Theaters under Article XVI, dance halls under Article XIII, carnivals under Article V, ~~amusement places under Article VIII~~, places licensed for "on-sale" beer, wine or liquor under Chapter 362, 363 or 366, or places primarily devoted to the display and sale of radios, phonographs, tape recorders, pianos, musical instruments, records and tapes, moving pictures, television and stage equipment.

*Public dance* means any event in which dancing, wherein the public may participate, is carried on, and to which admission may be had by the public by payment, either directly or indirectly, of an admission fee, price for dancing, or a fee for a membership in a club.

Section 2. That Section 267.1120 of the above-entitled ordinance be amended to read as follows:

**267.1120. License required.** No person shall operate or conduct a place of entertainment without being licensed under this article. Provided, however, ~~that any place licensed as a place of amusement or entertainment under some other provision of this Code that the establishment holding another license that authorizes the specific type of entertainment being offered~~ shall not be required to obtain a license hereunder.

Section 3. That Section 267.1130 of the above-entitled ordinance be amended to read as follows:

**267.1130. Application for license.** Any person desiring to operate or conduct a place of entertainment shall apply to the ~~department~~ division of licenses and consumer services for a license to do so, upon forms supplied by it. The ~~department~~ division shall present a copy of the application to the fire department for its report and recommendation. No license shall be issued except upon the approval of the city council. A complete application for a license hereunder shall contain all of the following:

- (1) The full name of the applicant, place and date of birth, and current residential address.
- (2) The full name, place, date of birth and address of the owner or proprietor of the building for which a license is desired.
- (3) The applicants' social security number and Minnesota business identification number, as required by Minnesota Statutes Section 270.72. For purposes of this requirement, "applicant" means an individual if the license is sought for or in the name of an individual or the corporation or partnership if the license is sought for or in the name of a corporation or partnership. "Applicant" also means an officer of a corporation, a member of a partnership, or an individual who is liable for delinquent taxes.
- (4) A scaled diagram showing the floor plan and the location of the building or buildings, and the part or portion thereof intended to be used in the conduct of such business and under such license.
- (5) The full name(s), place(s) and date(s) of birth, residential address(es) of all partners or persons interested therein, including the on-site manager of the business; if a corporation, the state of incorporation; the name(s), place(s) and date(s) of birth of all officers, directors and stockholders controlling at least ten (10) percent of the outstanding shares issues.
- (6) The nature of the business to be conducted.

Section 4. That Section 267.1140 of the above-entitled ordinance be amended to read as follows:

**267.1140. License fee.** The license fee for one year shall be as follows:

- (a) 1) For premises consisting of two thousand five hundred (2,500) gross square feet or less of area and located within the downtown (B4) zoning district, five hundred twenty-five dollars (\$525.00).
- (b) 2) For premises consisting of more than two thousand five hundred (2,500) gross square feet of area but not more than five thousand (5,000) gross square feet of area and located within the downtown (B4) zoning district, seven hundred and fifty dollars (\$750.00).
- (c) 3) For premises consisting of more than five thousand (5,000) gross square feet of area but not more than ten thousand (10,000) gross square feet of area and located within the



- downtown (B4) zoning district, one thousand one hundred twenty-five dollars (\$1,125.00).
- (d 4) For premises consisting of more than ten thousand (10,000) gross square feet of area and located within the downtown (B4) zoning district, one thousand six hundred and fifty dollars (\$1,650.00).
- (e 5) For premises consisting of two thousand five hundred (2,500) gross square feet or less of area and located outside of the downtown (B4) zoning district, three hundred and fifty dollars (\$350.00).
- (f 6) For premises consisting of more than two thousand five hundred (2,500) gross square feet of area but not more than five thousand (5,000) gross square feet and located outside of the downtown (B4) zoning district, five hundred dollars (\$500.00).
- (g 7) For premises consisting of more than five thousand (5,000) gross square feet of area but not more than ten thousand (10,000) gross square feet of area and located outside of the downtown (B4) zoning district, seven hundred fifty dollars (\$750.00).
- (h 8) For premises consisting of more than ten thousand (10,000) gross square feet of area and located outside of the downtown (B4) zoning district, one thousand one hundred dollars (\$1,100.00).

In addition to the fee specified above, an additional sixty-five-dollar (\$65.00) fee shall be paid by an applicant:

- (a) a. Upon initial application for the license specified in this section; and
- (b) b. Upon application for the license specified in this section after failing to renew the license within one year of the expiration date of the previously held license. The sixty-five-dollar (\$65.00) fee shall not be refunded whether or not the permit sought is granted.

Section 5. That Section 267.1150 of the above-entitled ordinance be amended to read as follows:

**267.1150. Denial, revocation or non-renewal of license application.** An application for a license hereunder may be denied, and a license may be revoked or not renewed, after notice and opportunity for hearing thereon, for any of the following reasons:

- (a 1) The application contains material omissions, or false, fraudulent or deceptive statements.
- (b 2) ~~The applicant has been convicted within the past three (3) years of a violation of this article.~~  
The premises are operated in such a manner as to be a public nuisance as provided by this Code or by Minnesota Statutes, Sections 609.74 and 609.745.
- (c 3) The applicant ~~has not complied~~ is not in compliance with one (1) or more of the provisions of this article.
- (d 4) The proposed operation is in violation of any federal, state or local law or ordinance including, but not limited to, any law relating to zoning, building maintenance, fire prevention, health or safety.
- (5) A complete application has not been filed within sixty (60) days of the submission of a partial application.
- (6) The applicant, including any partners, officers, shareholders or on-site manager, if applicable, fails to prohibit the sale, possession, display or consumption of liquor, beer or controlled substances on the premises or in any parking lot under the control of the licensee, unless authorized pursuant to a temporary on-sale liquor license as provided for in section 362.35 of this Code, or a temporary on-sale beer license as provided for in section 366.40 of this Code, or a temporary on-sale wine license as provided for in section 363.41 of this Code.
- (7) The applicant, including any partners, officers, shareholders or on-site manager, if applicable, owes outstanding administrative fees imposed for Code violations.

Section 6. That Section 267.1155 of the above-entitled ordinance be amended to read as follows:

**267.1155. Procedure for determining application.** (a) The director of licenses and consumer services shall, within thirty (30) days, of receipt of ~~the a complete~~ application, recommend to the city council that the application be granted or denied. The city council shall act upon the recommendation within sixty (60) days of receipt. ~~In the event of denial, the director of licenses and consumer services shall institute proceedings for an injunction against further operation and shall assume the burden of proof in such judicial proceedings.~~

(b) Judicial review of adverse license action must be by writ of certiorari to the court of appeals. A petition for a writ of certiorari must be filed with the court of appeals and served on the city not more than thirty (30) days after the party receives the final decision of the city council.

(c) The operational status of the applicant or licensee shall be maintained pending appeal. This status may be challenged at any time by motion to the district court. The district court may issue temporary injunctive or other temporary equitable relief as authorized by law. The district court shall issue an initial decision within fourteen (14) days of filing of the motion. The district court's order shall remain in effect until a final decision of the appeal is issued, unless otherwise modified by the district court or court of appeals.

Section 7. That Section 267.1170 of the above-entitled ordinance be and is hereby repealed.

**267.1170. Revocation of license.** A license may be revoked for good cause which may include any of the following reasons:

~~(a) The licensee or manager is convicted of a violation of this article or of any law relating to the operation of the licensed premises.~~

~~(b) The premises are operated in such manner as to be a public nuisance.~~

Section 8. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 267.1170 to read as follows:

**267.1170. Hours of operation.** The hours of operation shall be as provided for in the applicable zoning ordinance of this Code.

Section 9. That Section 267.1180 of the above-entitled ordinance be and is hereby repealed.

**267.1180. Music restricted at certain hours.** No place of entertainment located in the city, except that area lying between the Mississippi River and the west side of Grant Street and between Fourth Avenue North and Fourth Avenue South, shall have in the licensed premises any live music between 1:00 a.m. and 8:00 a.m. This shall not prevent radio, television, jukebox or other prerecorded music, provided it does not constitute a nuisance. Special short-term permits for having live music between 1:00 a.m. and 8:00 a.m. for nonrecurring events may be issued for a period of less than five (5) consecutive days upon proper application, a showing of good cause and the payment of a thirty-three dollar (\$33.00) fee.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the application of Thao Brothers LLC, dba Sushi Tango, 3001 Hennepin Av, for an On-Sale Liquor Class E with Sunday Sales License (new business) to expire July 1, 2002, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the application of Mable Anderson, dba Pepperoni's, 3554 Penn Av N, for an On-Sale Beer Class E License to expire April 1, 2002, and having held a hearing thereon, now recommends that said license be denied and that staff be directed to refund the license fee.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for liquor, wine and beer licenses:

**Off-Sale Liquor, to expire July 1, 2002**

Kick's Liquor Store Inc, dba Broadway Liquor Outlet, 2201 W Broadway;  
Jose & Luke Inc, dba Hi-Lake Liquors, 2218 E Lake St, #B;

**On-Sale Liquor Class A with Sunday Sales, to expire October 1, 2001**

Minnesota Orchestral Association, dba Orchestra Hall, 1111 Nicollet Mall;

**On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2002**

Club Ashé Partners LLP, dba Club Ashé, 322 1st Av N, Suite 100;  
Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N, Suite 100;  
Hirschey Investment Corporation, dba Barney's Underground, 528 E Hennepin Av;  
Ballentine VFW Post 246, 2916 Lyndale Av S;

**On-Sale Liquor Class B with Sunday Sales, to expire July 4, 2001**

American Legion Post #1 Housing Corporation, dba American Legion Post #1 Housing Corporation, 2532 25th Av S (temporary expansion of premises, July 4, 2001, Noon to 6:00 p.m. for 4th of July Celebration);

**On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2002**

Hubert's Inc, dba Hubert's Bar & Grill, 601 Chicago Av;  
Pier Group LLC, dba Chiang Mai Thai Restaurant, 3001 Hennepin Av;

**On-Sale Liquor Class C-2 with Sunday Sales, to expire October 1, 2001**

Pickled Parrot Inc, dba Pickled Parrot, 26 N 5th St;

**On-Sale Liquor Class D with Sunday Sales, to expire April 1, 2002**

Black Forest Inn Inc, dba Black Forest Inn, 1 E 26th St;

**On-Sale Liquor Class E with Sunday Sales, to expire June 21, 2001**

Campiello Inc, dba Campiello, 1320 W Lake St (temporary expansion of premises with entertainment, June 21, 2001, 5:00 p.m. to 10:00 p.m.);

**On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2002**

Bobs Pizza Inc, dba Bobs Pizza, 1501 Washington Av S (new business);  
Harrison Restaurant Holdings Inc, dba Sawatdee Bar & Cafe, 118 N 4th St;  
Irv's Bar Inc, dba Irv's Bar, 201 W Broadway;  
Preston's of Minneapolis Inc, dba Sergeant Preston's, 221 Cedar Av;  
S I B Inc, dba 331 Club, 331 13th Av NE;  
Sterling Hospitality Corporation, dba Staccato, 1125 Marquette Av;  
La Toscana LLC, dba La Toscana, 3220 W Lake St;

**Temporary On-Sale Liquor**

Friends of the Mounted Patrol, dba Tunes at Noon & Alive After 5, 81 S 9th St (June 14, 15, 18 & 19, 2001, 11:00 a.m. to 2:00 p.m. and 5:00 p.m. to 8:30 p.m. at Peavey Plaza, 11th St & Nicollet Mall; Licensed Facilitator: The Local);

Minneapolis Downtown Council, dba Minneapolis Downtown Council, 81 S 9th St (with entertainment, June 20 - 22, 2001, 11:30 a.m. to 1:30 p.m. and 5:00 p.m. to 8:30 p.m.; June 23, 2001, Noon to 9:00 p.m. at Peavey Plaza; Licensed Facilitator: The Local);

Friends of the Minneapolis Mounted Patrol, dba Friends of the Minneapolis Mounted Patrol, 81 S 9th St (with entertainment, June 24, 2001, Noon to 7:00 p.m.; June 25 - 27, 2001, 11:00 a.m. to 2:00 p.m. and 5:00 p.m. to 8:30 p.m. at Peavey Plaza; Licensed Facilitator: The Local);

**Off-Sale Beer, to expire April 1, 2002**

First Como Market Inc, dba First Como Market Inc, 1523 Como Av (new business);

**On-Sale Beer Class E, to expire April 1, 2002**

Nokomis Bowling Company, dba Nokomis Lanes, 4040 Bloomington Av (change in ownership from Nokomis Lanes Inc);

Nokomis Lanes Inc, dba Nokomis Lanes, 4040 Bloomington Av;

**Temporary On-Sale Beer**

Minneapolis Downtown Council, dba Hennepin Av Block Party, 81 S 9th St (July 13, 2001 at Hennepin Av from 7th St to Washington Av);

Northwest Minneapolis Business Association, dba Showboat Days 25th Anniversary, 2124 44th Av N (July 6 - 8, 2001, Noon to 11:00 p.m. at Webber Park, 44th & Dupont Av N);

Minneapolis Aquatennial (July 14 & 15, 2001 at Parade Stadium - Village Beer Garden; July 21, 2001 at St. Anthony Main Street - Fireworks Beer Garden; and at S 2nd St near 10th Av S).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 13, 2001, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 267078):

Building Contractor Class A; Building Contractor Class B; Cement Finishing Contractor; Concrete Masonry Contractor Class A; Concrete Masonry Contractor Class B; Dancing School; Fire Extinguisher Servicing Class B; Caterers; Confectionery; Food Distributor; Grocery; Food Manufacturer; Meat Market; Restaurant; Short Term Food; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gas Fitter Class A; Gasoline Filling Station; Heating, Air Conditioning & Ventilating Class A; Lodging House; Motor Vehicle Dealer - Cycles & Motorbikes; Motor Vehicle Dealer - New & Used; Motor Vehicle Dealer - Used Only; Motor Vehicle Dealer - Additional Lot; Motor Vehicle Immobilization Service; Motor Vehicle Repair Garage; Motor Vehicle Repair Garage with Accessory Use; Commercial Parking Lot Class B; Peddler - Foot; Peddler - Special Religious; Plumber; Precious Metal Dealer; Refrigeration Systems Installer; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Exhibition Operator Class A; Tattooing; Taxicab Vehicle; Tobacco Dealer; and Wrecker of Buildings Class B.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

**Gambling Lawful Exempt**

Jeremiah Program, dba Jeremiah Program, 1510 Laurel Av, Suite 100 (Raffle November 10, 2001 at Minneapolis Marriott City Center, 30 S 7th St);

Minneapolis Urban League, dba Minneapolis Urban League, 2000 Plymouth Av (Raffle July 21, 2001);

Greater Minneapolis Crisis Nursery, dba Greater Minneapolis Crisis Nursery, 5400 Glenwood Av, Golden Valley (Raffle August 19, 2001 at 1804 2nd Av N);

Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (Bingo, raffle, pulltabs October 13, 2001).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the Grocery License held by Speedway SuperAmerica LLC, dba SuperAmerica #4384, 5 E Franklin Av, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing for failure to comply with Health Code orders in 1998, 1999 and 2000; to comply with cleanup orders issued by Licensing Inspectors in 2000; to participate in a security survey project with area businesses and the Police Department; and to keep the sidewalks adjacent to the store clear of snow in November 2000, now recommends adoption of the following recommendations in lieu of SuperAmerica receiving a 30-day

license suspension and \$1,000 fine, as more fully set forth in said Findings, on file in the Office of the City Clerk and made a part of this report by reference:

a. all current critical and non-critical Health Code violations that have been cited will be corrected immediately. All future Health Code orders will be complied with promptly, unless SuperAmerica promptly challenges those orders within its legal rights;

b. all current cleanup orders that have been issued will be complied with immediately, and any future orders will be promptly complied with unless SuperAmerica promptly challenges those orders within its legal rights;

c. all litter and debris will be removed from the parking lot and within 100 feet of the property each morning and evening. All fuel spills will be thoroughly and promptly cleaned up; adjacent sidewalks will be shoveled within four hours of a snowfall;

d. all correspondence from City Departments to SuperAmerica staff or management regarding conditions at the store will be promptly acknowledged;

e. management for SuperAmerica #4384 will meet with and work with the Minneapolis Police SAFE Team to establish a written plan of action to resolve street crime issues that involve the store. Suggestions provided by the SAFE Team that have proven to be successful in reducing nuisance crime at other convenience stores will be considered for implementation;

f. SuperAmerica #4384 will provide off-duty police officers for a minimum of 48 hours per month for a one-year period beginning April 1, 2001. SuperAmerica will continue to work with SAFE Officers to determine the most effective days and times to provide coverage. During the one-year period, SuperAmerica may petition the License Department to suspend or change the off-duty requirement. The License Department will consult with the Police Department in considering the merits of the petition. The License Department will not unreasonably deny the petition.

g. SuperAmerica #4384 will continue to provide all current and future employees with a policy manual and training on such topics as code and liquor compliance, health and safety issues, customer service, corporate responsibility, and neighborhood involvement. An added component of this training will be provided by the Police Department SAFE Unit in 2001 and will include education on crime prevention, use of 911, security camera surveillance, problem identification and resolution, and general safety issues. The City's Licensing and Health Departments will provide SuperAmerica with instructional information for their employees on food safety and the sale of alcohol and cigarettes. SuperAmerica #4384 will provide a copy of their training outline to the Licensing Department by June 15, 2001.

h. SuperAmerica #4384 will install additional outside security lighting within four months. Installation suggestions will be provided by the SAFE Unit. SuperAmerica will also consult with the SAFE Unit regarding the installation and efficacy of outside security cameras.

i. SuperAmerica #4384 will agree to limit alcohol sales to 12 Packs for a two-year period beginning April 1, 2001. After this two-year period, the limitation will no longer be in effect, but the City will reserve the right to re-examine the need to re-impose the limitation should the sale of alcohol in amounts smaller than 12 Packs be identified by police as contributing to criminal behavior in the neighborhood.

j. management and/or supervisory staff will become *active* members of the neighborhood business association and attend at least every other meeting beginning February 1, 2001. Management will make a commitment to work with the association and the Police Department to explore implementing the July 2000 Crime Prevention Through Environmental Design (CPTED) survey suggestions that specifically relate to SuperAmerica.

k. SuperAmerica #4384 will strongly consider "adopting" a curb container and/or bus shelter as an opportunity to demonstrate their commitment to being a "good corporate neighbor". In return, the Hennepin County Probation Department, in conjunction with Sentence to Serve, has offered the use of community service workers to the business node.

l. Region Manager Jim Basler will provide his phone number and that of District Manager Diana Anderson to the business and neighborhood associations. Mr. Basler will be the primary contact person until all major issues are resolved. SuperAmerica's customer service number will be prominently displayed in the store for customer complaints.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS** - Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

a. 2701 Emerson Av N, The East 69 Feet of Lot 7, Block 23, Fairmount Park Addition to Minneapolis (PID #09-029-24-43-0078);

b. 4110 E Lake St, The East 35 Feet of Lots 12, 13 and 14 - Block 5, Dorman's First Addition to Minneapolis Except the South 10 Feet of Lot 14 (PID #31-029-23-43-0013).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**PS&RS & W&M/Budget** - Your Committee recommends acceptance of low bid submitted by Hennepin County Medical Center, in the amount of \$69,136 for the first year of service beginning July 1, 2001, to provide Emergency Medical Service Training and Testing for the Minneapolis Fire Department at designated Fire Department Training Facilities, all in accordance with City specifications.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for said service, payable from the Fire Department (010-280-2816). At the sole option of the City of Minneapolis, said contract may be extended for one year increments not to exceed four years.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to accept a three-year COPS in Schools grant award of \$500,000 and execute a grant agreement with the United States Department of Justice, Office of Community Oriented Policing Services, to provide funding for four new police officers assigned to serve additional Minneapolis public schools.

Your Committee further recommends passage of the accompanying Resolution appropriating \$500,000 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 2001R-291**

**By Biernat and Campbell**

#### **Resolved by The City Council of The City of Minneapolis:**

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-4040) by \$500,000 and increasing the Revenue Source (030-400-4040 - Source 3210) by \$500,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee recommends that the proper City Officers be authorized to execute a Law Enforcement Impaired Rider Grant Agreement with Comprehensive Safety Systems, under contract with the Minnesota Department of Public Safety for program services, to fund overtime expenses of sworn officers in the Police Department Traffic Unit, in an amount not to exceed \$3,120, to target enforcement of violations for riding a motorcycle while impaired by alcohol or drugs.

Your Committee further recommends passage of the accompanying Resolution appropriating \$3,120 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-292**

**By Biernat and Campbell**

**Resolved by The City Council of The City of Minneapolis:**

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (030-400-DT13) by \$3,120 and increasing the Revenue Source (030-400-DT13 - Source 3210) by \$3,120.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**PS&RS & W&M/Budget** - Your Committee, having under consideration the provision of office space for the Police Department's Downtown Command, now recommends that the proper City Officers be authorized to execute an amendment to Lease Agreement #C97-11105 with 25-33 Building, LLC to allow for the following changes to the lease to provide adequate time for renovation and relocation to Fire Station #10 in 2002, with all other terms and conditions of the lease being unaltered and remaining in full force and effect:

a. to extend the agreement to October 30, 2002;

b. to increase the annual base rent to \$9.30 per rentable square foot per year on 5,232 square feet for the period March 1, 2002 through October 30, 2002;

c. to include an additional monthly payment of \$3,400 due in the months of March 2002 through July 2002 to cover costs of new carpet and paint on the first floor level.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

**T&PW** – Your Committee recommends that the proper City officers be authorized to execute an agreement with the Minnesota Department of Transportation regarding the City's provision of routine maintenance of certain portions of trunk highways and bridges within the corporate limits of the City of

Minneapolis. The agreement will provide that the City will receive \$503,974.04 for services in Fiscal Year 2002 (July 1, 2001 through June 30, 2002) and \$515,324.28 for Fiscal Year 2003 (July 1, 2002 through June 30, 2003).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee recommends that the proper City officers be authorized to execute an agreement with Fortran Traffic Systems Limited for maintenance of the T2000 traffic signal control system that controls Minneapolis traffic signals. The contract will be for a five-year period from January 2, 2001 through December 31, 2005, with a total contract value of \$379,040, payable from the Public Works Transportation Division Operating Budget.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the City's contract with Gatekeeper Systems, Inc. for maintenance of the computer software system that manages monthly parking operations in the City's parking ramps and having been informed that staff requests extension of said contract, now recommends that the proper City officers be authorized to amend said Contract #C98-13349 by extending the contract term to September 30, 2002, providing an additional \$150,000 to the contract award (payable from the Municipal Parking Fund) and adding the additional duty of reviewing new ramp access control equipment being considered by the City.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the Nicollet Street Bridge Project (completed in 1997) and having been informed that the Minnesota Department of Transportation (MnDOT) has submitted a final bill for City costs for said project, now recommends that the proper City officers be authorized to:

1. Transfer funds in the amount of \$16,037.02 to MnDOT for the final Minneapolis share of the construction funding for the Nicollet Street Bridge, with said amount to cover additional costs that were encountered during project construction; and

2. Charge the cost of said transfer to the St. Anthony Parkway Bridge Project appropriation (4100-937-9386), a project with sufficient funds to accommodate the payment.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee recommends passage of the accompanying Resolution which holds harmless the State of Minnesota from actions that may arise from granting of a variance to the City that permits the reconstruction of 54<sup>th</sup> St E between Hiawatha Lane and Minnehaha Av with vertical curve design speeds of 27 mph and 29 mph rather than the 30 mph speed required by State Aid Rules.

Adopted. Yeas, 12; Nays none.

Absent - Niland.



Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-293**

**By Mead**

**Holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 321 (54<sup>th</sup> St E) between Hiawatha Lane and Minnehaha Av at less than State Aid Standards.**

Whereas, the City Engineer has requested a variance from Minnesota Rules, Chapter 8820.2500 for the reconstruction of 54<sup>th</sup> St E between Hiawatha Lane and Minnehaha Av in accordance with Resolution 2001R-063 adopted by the Minneapolis City Council on February 16, 2001; and

Whereas, the Commissioner of Transportation did grant said variance with the condition that the City adopt a Resolution concerning legal responsibilities as a result of this granting of said variance at the City Council's request;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it indemnifies, saves and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions, or causes of actions of any nature or character arising out of or by reason of, in any manner the reconstruction of MSA 321 (54<sup>th</sup> St E) between Hiawatha Lane and Minnehaha Av in any other manner than as in accordance with Minnesota Rule 8820.2500 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever Character arising as a result of the granting of this variance.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration the City's recent approval of the petition of Apex Asset Management Corporation for vacation of a portion of land at the Northeast corner of Portland Av and 11<sup>th</sup> St E and having been informed that further action is required to fully clear the title of said land, now recommends that the proper City officers be authorized to execute a quit claim deed in favor of Apex Asset Management Corporation to clear the title to the vacated street easement described as follows:

All that part of Lots 5 and 7 and Grant St as shown on the recorded plat of Auditor's Subdivision No. 1, Hennepin County, Minnesota, which lies Sly of the Nly right-of-way of Grant St as described in Document No. 1509427 and lying NEly of a line described as follows: beginning at the most Sly corner of Lot 2, Block 8, Snyder & Company 1st Addition, according to the recorded plat; thence SEly, along the SWly line of said Lots 7 and 5, to an angle point in the SWly line of said Lot 5; thence Ely, deflecting to the left 8 degrees 00 minutes 00 seconds, to the SEly line of said Lot 5 and said line there terminating.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** – Your Committee, having under consideration a request from the Wells Fargo Home Mortgage Corporation to rename a street within their recently acquired business campus located in the area bounded by 5<sup>th</sup> Av S, Interstate 35W, W 26<sup>th</sup> St and W 28<sup>th</sup> St, now recommends passage of the accompanying Resolution approving renaming the private street named "Honeywell Plaza" to "Wells Fargo Way".

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-294**  
**By Mead**

**Renaming the private street "Honeywell Plaza" to "Wells Fargo Way".**

Whereas, the Wells Fargo Home Mortgage Corporation has acquired the Honeywell, Inc. business campus for its Minneapolis headquarters; and

Whereas, the City of Minneapolis passed a resolution on March 29, 1974 naming the vacated portion of 4<sup>th</sup> Av S that runs through the business campus as "Honeywell Plaza"; and

Whereas, the Wells Fargo Home Mortgage Corporation wishes to rename the private street through its newly acquired business campus as "Wells Fargo Way"; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council agrees with the Wells Fargo Home Mortgage Corporation that it is proper and appropriate to rename the private street now known as "Honeywell Plaza", that runs from 26<sup>th</sup> St E to 28<sup>th</sup> St E, lying between I-35W and 5<sup>th</sup> Av S to "Wells Fargo Way" and that all dwellings and structures located upon said private street be assigned numerical addresses upon said street.

Be It Further Resolved that the City Clerk be directed to inform all agencies and other governmental authorities of the naming of said street.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration the City's contract with Eneco Tech Midwest for environmental consulting services related to the Currie Av N Equipment Facilities project and having been informed that additional time is required for preparation of reports to the Minnesota Pollution Control Agency regarding the site, now recommends that the proper City officers be authorized to extend the expiration date for Contract #C99-14339 with Eneco Tech Midwest to December 31, 2002, with no change in the dollar amount of the contract.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration the 2001 Minneapolis Aquatennial festival to be held July 13 through July 22, 2001, now recommends approval of the Aquatennial festival activities, special events, program components and permit requests as contained in Petn No. 267084 on file in the Office of the City Clerk.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having received a presentation on City bikeway planning, now recommends approval of the City of Minneapolis Five-Year Bikeways Plan (Petn No 267085).

Your Committee further recommends that the City of Minneapolis Bikeways Master Plan be accepted for review and comments for a period ending December 31, 2001.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**T&PW** - Your Committee, having under consideration the Northstar Commuter Rail Project and having received a report on the Northstar 7<sup>th</sup> Street Station Community Task Force and proposing City comments related to the Northstar Commuter Rail Preliminary Engineering documents (Petr No 267085), now recommends that said comments, as amended by the Committee, be submitted to the Minnesota Department of Transportation as the City's official comments.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

**T&PW & W&M/Budget** - Your Committee, having under consideration the alley resurfacing project planned for the 3800 block between Washburn Av S and Xerxes Av S, now recommends passage of the accompanying resolutions:

1. Ordering the work to proceed and adopting the special assessments for the Washburn to Xerxes Aves S from 38th to 39th Sts W Alley Resurfacing Project, Special Improvement of Existing Street No. FS01#1;

2. Requesting the Board of Estimate and Taxation to issue and sell assessment bonds for the project in the amount of \$10,000 to be paid for by special assessment.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-295**  
**By Mead & Campbell**

**Washburn to Xerxes Aves S from 38th to 39th Sts W Alley Resurfacing Project**  
**Special Improvement of Existing Street No FS01#1**

**Ordering the work to proceed and adopting the special assessments for the Washburn to Xerxes Aves S from 38th to 39th Sts W Alley Resurfacing Project.**

Whereas, a public hearing was held on June 28, 2001 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2001R-197, passed May 18, 2001 to consider the proposed special assessments as on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2001R-197, passed May 18, 2001.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at ten (10) and that the interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments to begin on the 2002 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at (1) and that interest be charged at the same rate as the assessment bonds are sold for with collection of the special assessments on the 2002 real estate tax statements.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-296**

**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$10,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Washburn Av S to Xerxes Av S from 38th to 39th Sts W Alley Resurfacing Project, Special Improvement of Existing Street No. FS01#1, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee recommends passage of the accompanying resolution authorizing the sale of excess City property at 2937 Lyndale Av S to Atticus Development Group for an amount of \$505,000, and directing that the net proceeds from the sale of the property be captured to the Municipal Parking Fund (7500) as repayment towards the loan granted to acquire properties for the Lyn-Lake Municipal Parking Lots Project.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-297**

**By Mead & Campbell**

**Authorizing the sale of certain City-owned land at 2937 Lyndale Av S.**

Whereas, the City owns land at 2937 Lyndale Avenue South; and

Whereas, the City Engineer has determined that this parcel is not needed for City purposes; and

Whereas, Atticus Development Group, Inc has offered to enter into a purchase agreement with the City, agreeing to pay the City \$505,000 for the property; and

Whereas, the City Assessor has determined this transaction price to be fair market value and has reported this to the City Council; and

Whereas, the Planning Commission approved the sale on July 12, 2001 as being in conformance with the Comprehensive Plan and a public hearing, notice of which was published in a newspaper of general circulation in Hennepin County at least ten days in advance of the hearing, was held by the Transportation and Public Works Committee on June 28, 2001, all in accordance with the Minneapolis Code of Ordinances, Section 14.120;

Now, Therefore, Be It Resolved by The City Council of the City of Minneapolis:

That the proper City officers be authorized to execute a purchase agreement, quit claim deed, and related documents for sale of the land legally described as: Lot 13, Block 9, Excelsior Addition to Minneapolis, according to the recorded plat thereof, and situated in Hennepin County, Minnesota, Abstract Property, and more fully described in Petn No 267086 on file in the Office of the City Clerk.

Be It Further Resolved that the net proceeds of said sale be deposited into the Municipal Parking Fund (8P10-7500-9464).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee having under consideration the Areaway Abandonment at 300-314 Washington Av N (in accordance with the Washington Av N Reconstruction Project, Special Improvement of Existing Street No. 6600), Property Identification No. 22-029-24-14-0023 and legally described as Lots 3 and 4, Block 33, Town of Minneapolis, now recommends passage of the accompanying Resolutions:

1. Receiving the cost estimate of \$240,000, receiving the petition from the owner of the benefited property, ordering the City Engineer to proceed and do the work and adopting the special assessments in the total amount of \$240,000;

2. Increasing the appropriation in the Public Works Paving Construction Agency by \$240,000 to be reimbursed by special assessment.

3. Requesting the Board of Estimate and Taxation to issue and sell bonds in the amount of \$240,000 for the project.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-298**

**By Mead & Campbell**

**Areaway Abandonment at 300-314 Washington Av N  
in the Washington Av N Reconstruction Project,  
Special Improvement of Existing Street No. 6600**

**Designating the locations and improvements and ordering the work to proceed for the areaway abandonment and removal as contained in a petition from Stielow Properties, Inc., dated May 31, 2001.**

Whereas, the City of Minneapolis has scheduled the reconstruction and street lighting improvements during 2001 in the Washington Av N Reconstruction area of Minneapolis; and

Whereas, there are areaways located in the public street r/w that are in conflict with said reconstruction and street lighting installation; and

Whereas, a public hearing was held on September 21, 2000 in accordance with Chapter 10, Section 6 of the Minneapolis City Charter and Sections 24.180 and 95.90 of the Minneapolis Code of Ordinances to consider the proposed abandonment and removal of the above mentioned areaways; and

Whereas, it is proposed to abandon and remove the areaway that encroaches into the Washington Av N right-of-way adjoining said property as petitioned by Stielow Properties, Inc;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways as located in the public street r/w adjoining the property along 300-314 Washington Av N (Property ID No 22-029-24-14-0023).

Be It Further Resolved that the cost estimate of \$240,000 for the abandonment and removal be received.

Be It Further Resolved that the petition submitted by the owner of the benefited property (Stielow Properties, Inc.) be received.

Be It Further Resolved that the proposed special assessments in the total amount of \$240,000 as on file in the Office of the City Clerk be and hereby are adopted and assessed against the benefited property.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments may be paid shall be fixed at twenty (20) and that interest be charged at the same rate as assessment bonds are sold for with collection of the special assessments to begin on the 2002 real estate tax statement.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-299**  
**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Paving Construction Agency in the Permanent Improvement Projects Fund (4100-937-9374) by \$240,000 and increasing the revenue source (4100-937-9374 - Source 3650) by \$240,000, for the Washington Av N Reconstruction Project, Special Improvement of Existing Street No. 6600 and authorizing the appropriate City officers to expend funds for the implementation of the project.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-300**  
**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$240,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of the removal of an areaway within the Washington Av N Reconstruction Project (Special Improvement of Existing Street No. 6600) to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration a report passed April 13, 2001, awarding a contract under OP #5605 with Minnesota Native Landscapes for wetland establishment

and general landscaping, now recommends that said report be amended by increasing Contract #16705 by \$32,000, to a new estimated expenditure of \$255,825 for additional services, all in accordance with City specifications.

Your Committee further recommends that the proper City officers be authorized to execute said contract amendment.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration a request to locate a FM translator facility on the Kenwood Water Tower, now recommends that the proper City officers be authorized to draft and execute a five-year lease agreement with Minnesota Public Radio for the purpose of allowing said translator at an annual cost of \$2,400 (with annual escalation of five percent). The annual revenue is directed to be deposited to the Lands and Buildings Fund (6200-680-6821) to offset costs associated with the maintenance and upkeep of the water tower.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration a request from the Minneapolis Public Housing Authority that the City proceed with public infrastructure improvements and assessments for Phase I of the Near Northside Redevelopment project (Project No. 9746), now recommends passage of the accompanying Resolutions:

1. Receiving the cost estimate of \$4,249,500, receiving the petition from the owner of the benefited property, designating the locations and improvements and ordering the City Engineer to proceed and do the work;

2. Increasing the appropriation in the Capital Improvements - Non Departmental Agency by \$1,388,500 (Permanent Improvement Projects Fund), by \$639,000 (Sewer Rental Fund), and by \$702,000 (Water Revenue Fund);

3. Requesting the Board of Estimate and Taxation to issue and sell bonds in the amount of \$2,730,000 (\$1,389,000 for streets, sidewalks, street lighting, \$702,000 for water mains, \$639,000 for sanitary sewers).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-301**

**By Mead & Campbell**

**Near Northside Redevelopment Phase I, Project No 9746**

**Designating the locations and improvements and ordering the work to proceed for the public infrastructure improvements as shown on the attached plan.**

Whereas, it is proposed to construct public infrastructure items for the Phase I area of the Near Northside Redevelopment as petitioned by the Minneapolis Public Housing Authority;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the locations of the public infrastructure improvements as shown on the attached plan be designated and constructed with related improvements and work as needed.

Be It Further Resolved that the cost estimate of \$4,259,500 for the public infrastructure improvements be received.

Be It Further Resolved that the petition submitted by the owner of the benefited property (Minneapolis Public Housing Authority) be received.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-302**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the following appropriations to provide funds for the construction of the public infrastructure improvements in the Near Northside Redevelopment Phase I, Project No 9746:

a) The Capital Improvement - Non Departmental Agency in the Permanent Improvement Projects Fund (4100-970-9719) by \$1,388,500;

b) The Capital Improvement - Non Departmental Agency in the Sewer Rental Fund (7300-970-9719) by \$639,000; and

c) The Capital Improvement - Non Departmental Agency in the Water Revenue Fund (7400-970-9719) by \$702,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-303**

**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,389,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of the public infrastructure improvements (streets, sidewalks, street lights) in the Near Northside Redevelopment Phase I, Project No 9746, to be assessed against the benefited property as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.



**RESOLUTION 2001R-304**

**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$702,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of the public infrastructure improvements (water mains) in the Near Northside Redevelopment Phase I, Project No 9746, to be assessed against the benefited property as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-305**

**By Mead & Campbell**

**Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$639,000 for certain purposes other than the purchase of public utilities.**

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of the public infrastructure improvements (sanitary sewers) in the Near Northside Redevelopment Phase I, Project No 9746, to be assessed against the benefited property as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee reports that, in accordance with Chapter 431 of the Minneapolis Code of Ordinances relating to the establishment of street lighting districts (said Chapter 431 defining such street lighting district as an area wherein lighting in excess of minimum street lighting is provided and further providing that the City's costs over and above said minimum lighting shall be paid by the benefited property owners), the City Engineer has presented to your Committee the details required by said Chapter 431 in connection with proposed Street Lighting District No 1276 for future assessment of the maintenance and operation costs on street lighting for the convenience and safety of the area delineated as Near Northside Redevelopment Phase I Area (streets to receive lighting are as designated in the Near Northside Redevelopment Phase I, Project No 9746).

The rates are to be determined at a future date.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration traffic calming measures proposed by the Beltrami Neighborhood as part of their Neighborhood Revitalization Program (NRP), now recommends:

1. Approval to install two speed humps on Buchanan St NE between Winter St NE and Spring St NE at a cost of \$4,500 (NRP funding);
2. Approval to install two speed humps on Pierce St NE between Broadway St NE and Summer St NE at a cost of \$4,500 (NRP funding);
3. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$9,000 and increasing the revenue source to reflect that NRP funding will be provided.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-306**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$9,000 and increasing the revenue source (4100-943-9440 - Source 3845) by \$9,000, for Beltrami Neighborhood traffic calming measures.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration traffic calming measures proposed by the Lowry Hill Neighborhood as part of their Neighborhood Revitalization Program (NRP), now recommends:

1. Approval to install a speed table on Douglas Av S between Knox Av S and Logan Av S at a cost of \$3,000 (NRP funding);
2. Approval to install speed humps on Emerson Av S between Douglas Av S and Lincoln Av S at a cost of \$4,500 (NRP funding);
3. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$7,500 and increasing the revenue source to reflect that NRP funding will be provided.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-307**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-

9440) by \$7,500 and increasing the revenue source (4100-943-9440 - Source 3845) by \$7,500, for Lowry Hill Neighborhood traffic calming measures.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration traffic calming measures proposed by the Lynnhurst Neighborhood as part of their Neighborhood Revitalization Program (NRP), now recommends:

1. Approval to install two speed humps on Morgan Av S between W 52<sup>nd</sup> St and W 53<sup>rd</sup> St at a cost of \$4,500 (NRP funding);

2. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$4,500 and increasing the revenue source to reflect that NRP funding will be provided.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **RESOLUTION 2001R-308**

**By Mead & Campbell**

#### **Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$4,500 and increasing the revenue source (4100-943-9440 - Source 3845) by \$4,500 for Lynnhurst Neighborhood traffic calming measures.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration traffic calming measures proposed by the Como Neighborhood as part of their Neighborhood Revitalization Program (NRP), now recommends:

1. Approval to install two speed humps on Talmadge Av SE between 18<sup>th</sup> Av SE and 20<sup>th</sup> Av SE at a cost of \$4,500 (NRP funding);

2. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$4,500 and increasing the revenue source to reflect that NRP funding will be provided.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-309**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9440) by \$4,500 and increasing the revenue source (4100-943-9440 - Source 3845) by \$4,500 for Como Neighborhood traffic calming measures.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** – Your Committee, having under consideration traffic calming measures proposed by the Tangletown Neighborhood as part of their Neighborhood Revitalization Program (NRP), now recommends:

1. Authorization for the proper City officers to execute a contract with the Tangletown Neighborhood Association NRP providing for the establishment, implementation and installation of traffic calming measures on various streets within the Tangletown and Fuller neighborhoods (as outlined in Petn No 267086);

2. Passage of the accompanying resolution increasing the Public Works - Transportation Capital appropriation by \$53,700 and increasing the revenue source to reflect that NRP funding will be provided.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-310**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW - Transportation Capital Agency in the Permanent Improvement Projects Fund (4100-943-9464) by \$53,700 and increasing the revenue source (4100-943-9464 - Source 3845) by \$53,700 for Tangletown Neighborhood traffic calming measures.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**T&PW & W&M/Budget** - Your Committee, having under consideration a contract providing for relocation of City sewer and water lines in advance of light rail transit construction and payment to the City for said work, now recommends that the proper City officers be authorized to execute Amendment #1 to Construction Cooperation Agreement #80088 with the Minnesota Department of Transportation and the Metropolitan Council to extend the sewer and water relocation work from Chicago Avenue to 26<sup>th</sup> Street and to increase the contract amount to be paid by the Metropolitan Council by \$961,636.30, for a new contract total of \$7,493,437.30, as more fully set forth in Petn No 267087 on file in the Office of the City Clerk.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation for the Public Works - Sewer Construction - Capital Agency by \$682,342.30 and the Public Works - Water Construction - Capital Agency by \$279,294, for relocation of water and sewer lines.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 16 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 17, 2001)

**RESOLUTION 2001R-311**

**By Mead & Campbell**

**Amending The 2001 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) increasing the appropriation for the Public Works - Sewer Construction Capital Agency in the Sewer Rental Fund (7300-932-9322) by \$682,342.30, and increasing the revenue estimate in the Public Works - Sewer Construction Capital Agency in the Sewer Rental Fund (7300-932-9322-Source 3210) by \$682,342.30, for reimbursement by the Minnesota Department of Transportation (MnDOT); and

b) increasing the appropriation for the Public Works - Water Construction Capital Agency in the Water Revenue Fund (7400-950-9535) by \$279,294, and increasing the revenue estimate in the Public Works - Water Construction Capital Agency in the Water Revenue Fund (7400-950-9322-Source 3210) by \$279,294, for reimbursement by the Minnesota Department of Transportation (MnDOT).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 16 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 17, 2001)

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

**W&M/Budget** - Your Committee recommends approval of the Middle Mississippi River Watershed Management Organization (MMRWMO) Draft 2002 Capital Budget, as more fully set forth in Petn No 267098 on file in the Office of the City Clerk, with the understanding that said capital budget will be approved by the MMRWMO Board on August 16, 2001.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends approval of the Workers Compensation Settlement Agreement in the matter of *Susan Nelson vs. City of Minneapolis*, in the amount of \$140,000 (excluding future medical expenses for a work-related back injury), as full, final and complete settlement of said matter, to be payable from the Self Insurance Fund (6900-150-1500-6070).

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute the following change orders, providing for additional work required on the Convention Center Expansion Project, payable from the Convention Center Site Agency in the Permanent Improvement Projects Fund (4100-975-9751):

a) Change Order #5 to Contract #15023 with Shaw-Lundquist Associates, Inc., increasing said contract by \$116,210, for a new contract total of \$6,766,642;

b) Change Order #5 to Contract #15236 with Harris Mechanical, increasing said contract by \$432,456, for a new contract total of \$16,653,706;

c) Change Order #6 to Contract #14277 with Havens Steel Company, increasing said contract by \$456,000, for a new contract total of \$20,876,648; and

d) Change Order #7 to Contract #14277 with Havens Steel Company, increasing said contract by \$128,092, for a new contract total of \$21,004,740.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 16 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published July 17, 2001)

**W&M/Budget** - Your Committee recommends acceptance of Local Housing Incentive Account Grant funds, in the amount of \$200,000, for the Many Rivers Project.

Your Committee further recommends that the proper City officers be authorized to execute a grant agreement with the Metropolitan Council setting forth the terms and conditions of said grant.

Your Committee further recommends that the proper City officers be authorized to execute the necessary legal agreements with selected vendors, as necessary, to implement said project.

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency appropriation and revenue estimate by \$200,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

## **RESOLUTION 2001R-312**

**By Campbell**

### **Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Grants - Other Fund (0600-123-1230-5130) by \$200,000, and increasing the Non-Departmental Agency revenue estimate in the Grants - Other Fund (0600-123-1230-5130-Source 3225) by \$200,000.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee, having approved (by previous Council action) the acceptance of a Metropolitan Council Local Housing Incentives Account grant, in the amount of \$250,000, for the Near North neighborhood, and having executed Grant Agreement #15005 with the Metropolitan Council for a period ending June 30, 2000, now recommends that the proper City officers be authorized to execute Amendment #1 to said grant agreement, extending the time of performance through December 31, 2001 to provide additional time for project implementation.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends that the proper City officers be authorized to execute an Amended and Restated Master Subordination Agreement and Estoppel Certificate with the Minneapolis Community Development Agency (MCDA), the Minnesota Housing Finance Agency (MHFA) and the Jack Frost Flats Limited Partnership, providing for additional financing from the MHFA, in the amount of \$100,000, and clarifying the respective positions of various financing loans.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends approval of a request from the Senior Citizen Advisory Committee to insert in the August, 2001 utility bills a message informing seniors of the opening of the new Skyway Senior Center, as more fully set forth in Petn No 267095 on file in the Office of the City Clerk, with the understanding that an insertion fee does not apply to City departments.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends that Pamela French begin at Step B of the appointed salary schedule for the Human Resources (HR) Principal Consultant position, in the amount of \$70,698.

Your Committee further recommends amending Council action of May 4, 2001 relating to the appointment of a labor relations representative by changing the retitled position of HR Senior Consultant to Workforce Planning Coordinator.

Your Committee further recommends that Charles Bernardy begin at Step D of the appointed salary schedule for the Workforce Planning Coordinator position, in the amount of \$69,430.

Your Committee further recommends passage of the accompanying Salary Ordinance for the Workforce Planning Coordinator position.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-083 amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting the salary for the position of Workforce Planning Coordinator, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-083  
By Campbell  
1st & 2nd Readings: 7/13/2001**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)**

**Effective: 7/1/01**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" yrs	Step D After 3 "C" yrs
E	1	Workforce Planning Coordinator	490	10	A	\$62,818	\$66,124	\$68,108	\$69,430

Section 2: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)**

**Effective: January 1, 2002**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" yrs	Step D After 3 "C" yrs
E	1	Workforce Planning Coordinator	490	10	A	\$64,860	\$68,273	\$70,321	\$71,687

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying revised Salary Ordinance, correctly reflecting the terms of the labor agreement settlement with the Minneapolis Building Trades, Inspectors' Unit.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-084 amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, correctly reflecting the terms of the labor agreement settlement with the Minneapolis Building Trades, Inspectors' Unit, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.



The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-084  
By Campbell  
1st & 2nd Readings: 7/13/2001**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2000:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2000, January 1, 2001 and January 1, 2002, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the biweekly salary rates unless stated otherwise.

**BUILDING AND CONSTRUCTION TRADES INSPECTORS (CBI)  
Effective January 1, 2000**

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>1st Step</b>	<b>2nd Step</b>	<b>3rd Step</b>	<b>4th Step</b>	<b>5th Step</b>	<b>6th Step</b>	<b>7th Step</b>
N	3	Building Trades Inspector	H	23.39	23.60	23.82	24.00	24.16	24.93	25.65

(A) Building (05470C); (B) Elevator (05490C); (C) Gas Heating (05540C); (D) Gas Processing (05550C); (E) Plumbing (05610C); (F) Heating-Refrigeration (05560C); (G) Refrigeration (05630C); (H) Steam & Hot Water (05650C); (I) Warm Air Heating-Air Conditioning (05770).

<b>FLSA</b>	<b>OTC</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>1st Step</b>	<b>2nd Step</b>	<b>3rd Step</b>	<b>4th Step</b>	<b>5th Step</b>	<b>6th Step</b>	<b>7th Step</b>
N	3	Lead Inspector, Building Trades	H	24.77	25.03	25.26	25.53	25.77	26.42	27.11

(A) Plumbing (06000C); (B) Heating & Refrigeration (05990C); (C) Warm Air Heating (06010C)

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly:

\$ .214 cents per hour additional at the beginning of the 10th year of service.

\$ .296 cents per hour additional at the beginning of the 15th year of service.

\$ .347 cents per hour additional at the beginning of the 20th year of service.

\$ .408 cents per hour additional at the beginning of the 25th year of service.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2001:

**BUILDING AND CONSTRUCTION TRADES INSPECTORS (CBI)**  
**Effective January 1, 2001**

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Building Trades Inspector	H	24.98	25.21	25.44	25.64	25.82	26.66	27.46

(A) Building (05470C); (B) Elevator (05490C); (C) Gas Heating (05540C); (D) Gas Processing (05550C); (E) Plumbing (05610C); (F) Heating-Refrigeration (05560C); (G) Refrigeration (05630C); (H) Steam & Hot Water (05650C); (I) Warm Air Heating-Air Conditioning (05770).

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Lead Inspector, Building Trades	H	26.47	26.75	26.99	27.29	27.54	28.23	28.83

(A) Plumbing (06000C); (B) Heating & Refrigeration (05990C); (C) Warm Air Heating (06010C)

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly:

\$ .214 cents per hour additional at the beginning of the 10th year of service.

\$ .296 cents per hour additional at the beginning of the 15th year of service.

\$ .347 cents per hour additional at the beginning of the 20th year of service.

\$ .408 cents per hour additional at the beginning of the 25th year of service.

\*\*\*EFFECTIVE June 1, 2001 longevity will be eliminated for all new hires.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002:

**BUILDING AND CONSTRUCTION TRADES INSPECTORS (CBI)**  
**Effective January 1, 2002**

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Building Trades Inspector	H	26.23	26.48	26.72	26.93	27.11	28.00	28.84

(A) Building (05470C); (B) Elevator (05490C); (C) Gas Heating (05540C); (D) Gas Processing (05550C); (E) Plumbing (05610C); (F) Heating-Refrigeration (05560C); (G) Refrigeration (05630C); (H) Steam & Hot Water (05650C); (I) Warm Air Heating-Air Conditioning (05770).

FLSA	OTC	CLASSIFICATION	P	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	3	Lead Inspector, Building Trades	H	27.80	28.10	28.35	28.66	28.92	29.65	30.28

(A) Plumbing (06000C); (B) Heating & Refrigeration (05990C); (C) Warm Air Heating (06010C)

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly:

\$ .214 cents per hour additional at the beginning of the 10th year of service.

\$ .296 cents per hour additional at the beginning of the 15th year of service.

\$ .347 cents per hour additional at the beginning of the 20th year of service.

\$ .408 cents per hour additional at the beginning of the 25th year of service.

\*\*\*New Hires are not eligible for longevity.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying revised Salary Ordinance, correctly reflecting the terms of the labor agreement settlement with the Plumbers Union, Local #15, AFL-CIO.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-085 amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, correctly reflecting the terms of the labor agreement settlement with the Plumbers Union Local #15, AFL-CIO, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-085**  
**By Campbell**  
**1st & 2nd Readings: 7/13/2001**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2000:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2000, January 1, 2001 and January 1, 2002, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid

off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the biweekly salary rates unless stated otherwise.

**Plumbers Union Local No. 15**  
**Effective January 1, 2000**

FLSA	OTC	CODE	CLASSIFICATION	P	4 Month Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	02235C	Commercial Meter Srv Wkr	H	N/A	14.63	15.35	16.13	16.93	17.79	18.68	19.61
N	2	05030C	Foreman Water Svc Maint	H	N/A	18.05	18.40	18.82	19.02	20.78	21.77	22.81
N	2	08890C	Residential Meter Srv Wkr	H	N/A	14.10	14.79	15.54	16.31	17.12	17.97	18.87
N	2	10940C	Water Works Service Wrker I	H	N/A	16.11	17.12	17.59	18.22			
N	2	10950C	Water Works Service Wrker II	H	N/A	16.16	16.45	16.71	16.97	17.73	18.46	19.40

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly.

21 cents per hour additional at the beginning of the 10th year of service.

29 cents per hour additional at the beginning of the 15th year of service.

35 cents per hour additional at the beginning of the 20th year of service.

41 cents per hour additional at the beginning of the 25th year of service.

Provided that employees who are required by the employer to wear safety shoes as a condition of employment shall be eligible to participate in the employer's Safety Shoe Expense Reimbursement Program. Such program shall provide a bi-annual (every two years) reimbursement of up to one hundred forty dollars (\$140) per purchase or repair.

**Shift Differential**

Employees who are scheduled to work a shift which begins between 12:00 noon and 2:59 p.m. shall be paid a shift differential of \$0.40 per hour for all hours worked on such shifts. In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.40 per hour differential pay shall also be applied to those overtime hours.

Employees who are scheduled to work an 8-hour shift which begins between 3:00 p.m. and 5:59 a.m. shall be paid a shift differential of \$0.95 per hour for all hours worked on such shifts. In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.95 per hour differential pay shall also be applied to those overtime hours.

Limitations: Employees who work overtime, either by coming in early or staying over into another shift that qualifies for differential pay, their sole compensation shall be the payment of overtime or compensatory time, if applicable. Employees who voluntarily work a 10-hour shift are excluded from these provisions.

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2001:

**Plumbers Union Local No. 15**  
**Effective January 1, 2001**

FLSA	OTC	CODE	CLASSIFICATION	P	4 Month Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	02235C	Commercial Meter Srv Wkr	H	14.67	15.28	16.03	16.85	17.68	18.58	19.51	20.48
N	2	05030C	Foreman Water Svc Maint	H	19.05	19.84	20.25	20.66	20.87	22.69	23.88	25.14
N	2	08890C	Residential Meter Srv Wkr	H	13.96	14.54	15.26	16.03	16.83	17.66	18.54	19.47
N	2	10940C	Water Works Service Wrker I	H	16.17	16.84	17.90	18.38	19.04			
N	2	10950C	Water Works Service Wrker II	H	16.21	16.89	17.19	17.44	17.72	18.52	19.28	20.26

Provided that starting January 1, 2001, new hires will be paid 96% of the approved step for a period of four (4) months and then placed at the approved step for the next eight (8) months.  
This reduction is to offset the cost of earlier access to health insurance.

Provided that employees in this section shall receive the following longevity.  
These payments shall be based on a maximum of 80 hours bi-weekly.  
21 cents per hour additional at the beginning of the 10th year of service.  
30 cents per hour additional at the beginning of the 15th year of service.  
36 cents per hour additional at the beginning of the 20th year of service.  
42 cents per hour additional at the beginning of the 25th year of service.

Provided that employees who are required by the employer to wear safety shoes as a condition of employment shall be eligible to participate in the employer's Safety Shoe Expense Reimbursement Program. Such program shall provide a bi-annual (every two years) reimbursement of up to one hundred forty dollars (\$140) per purchase or repair.

**Shift Differential**

Employees who are scheduled to work a shift which begins between 12:00 noon and 2:59 p.m. shall be paid a shift differential of \$0.40 per hour for all hours worked on such shifts.  
In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.40 per hour differential pay shall also be applied to those overtime hours.

Employees who are scheduled to work an 8-hour shift which begins between 3:00 p.m. and 5:59 a.m. shall be paid a shift differential of \$0.95 per hour for all hours worked on such shifts.  
In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.95 per hour differential pay shall also be applied to those overtime hours.

Limitations: Employees who work overtime, either by coming in early or staying over into another shift that qualifies for differential pay, their sole compensation shall be the payment of overtime or compensatory time, if applicable. Employees who voluntarily work a 10-hour shift are excluded from these provisions.

Effective 1/1/01, the following premiums will be paid for all hours worked in the eligible assignment.  
\$0.250 per hour for all hours worked as a Water Works Service Worker II assigned to a Gate Truck.  
\$0.250 per hour for all hours worked as a Small Tapper.  
\$0.600 per hour for all hours worked Leak Investigator or Locator.

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002:

**Plumbers Union Local No. 15**  
**Effective January 1, 2002**

FLSA	OTC	CODE	CLASSIFICATION	P	4 Month Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
N	2	02235C	Commercial Meter Srv Wkr	H	15.14	15.77	16.55	17.40	18.26	19.19	20.14	21.14
N	2	05030C	Foreman Water Svc Maint	H	19.67	20.49	20.91	21.33	21.55	23.42	24.66	25.95
N	2	08890C	Residential Meter Srv Wkr	H	14.41	15.02	15.76	16.55	17.37	18.24	19.14	20.10
N	2	10940C	Water Works Service Wrker I	H	16.69	17.39	18.48	18.98	19.66			
N	2	10950C	Water Works Service Wrker II	H	16.74	17.44	17.75	18.01	18.30	19.12	19.91	20.92

Provided that new hires will be paid 96% of the approved step for a period of four (4) months and then placed at the approved step for the next eight (8) months.

This reduction is to offset the cost of earlier access to health insurance.

Provided that employees in this section shall receive the following longevity.

These payments shall be based on a maximum of 80 hours bi-weekly.

22 cents per hour additional at the beginning of the 10th year of service.

31 cents per hour additional at the beginning of the 15th year of service.

37 cents per hour additional at the beginning of the 20th year of service.

44 cents per hour additional at the beginning of the 25th year of service.

Provided that employees who are required by the employer to wear safety shoes as a condition of employment shall be eligible to participate in the employer's Safety Shoe Expense Reimbursement Program. Such program shall provide a bi-annual (every two years) reimbursement of up to one hundred forty dollars (\$140) per purchase or repair.

**Shift Differential**

Employees who are scheduled to work a shift which begins between 12:00 noon and 2:59 p.m. shall be paid a shift differential of \$0.40 per hour for all hours worked on such shifts.

In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.40 per hour differential pay shall also be applied to those overtime hours.

Employees who are scheduled to work an 8-hour shift which begins between 3:00 p.m. and 5:59 a.m. shall be paid a shift differential of \$0.95 per hour for all hours worked on such shifts.

In addition, should that same employee be authorized to come in early or stay over, working immediately adjacent to such a shift, the \$0.95 per hour differential pay shall also be applied to those overtime hours.

Limitations: Employees who work overtime, either by coming in early or staying over into another shift that qualifies for differential pay, their sole compensation shall be the payment of overtime or compensatory time, if applicable. Employees who voluntarily work a 10-hour shift are excluded from these provisions.

The following premiums will be paid for all hours worked in the eligible assignment.

\$0.258 per hour for all hours worked as a Water Works Service Worker II assigned to a Gate Truck:

\$0.258 per hour for all hours worked as a Small Tapper.  
\$0.620 per hour for all hours worked Leak Investigator or Locator.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001. J. Cherryhomes, President of Council.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends approval of the labor agreement settlement with the International Union of Operating Engineers, Local #49, as more fully set forth in Petn No 267096 on file in the Office of the City Clerk, which summarizes the proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a 30-month contract, effective for the period from January 1, 2001 through June 30, 2003.

Your Committee further recommends passage of the accompanying amendment to the Salary Ordinance reflecting the terms of said agreement.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-086 amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, setting forth the terms of the labor agreement settlement with International Union of Operating Engineers, Local #49, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-086**  
**By Campbell**  
**1st & 2nd Readings: 7/13/2001**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2001:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 2001, January 1, 2002 and January 1, 2003 except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly pay rates unless stated otherwise.

**International Union of Operating Engineers, Local 49 (CEQ)  
Effective January 1, 2001**

<b>FLSA</b>	<b>OTC</b>	<b>CODE</b>	<b>CLASSIFICATION</b>	<b>P</b>	<b>5 Month Rate</b>	<b>6 Month Rate</b>	<b>1st STEP</b>	<b>2nd STEP</b>
N	2	01170C	Automotive					
			Mechanic/Auto Body	H	20.062		20.898	
N	2	01180C	Automotive					
			Mechanic	H	20.062		20.898	
N	2	01340C	Blacksmith	H		19.354	20.017	20.702
N	2	02560C	Construction Equipment					
			Oiler	H		17.519	18.089	18.660
N	2	02520C	Construction Equipment					
			Operator/Oiler	H	19.894		20.723	
N	2	04160C	Equipment Repair					
			Coordinator	H		18.765	19.418	20.341
N	2	04520C	Foreman, Auto					
			Mechanic	H		21.788	22.472	23.477
N	2	04820C	Foreman, Paving					
			Products Plant	H		21.788	22.472	23.477
N	2	07060C	Mechanic Helper	H		17.642	18.275	18.928
N	2	07920C	Plant Operator,					
			Paving Products	H		19.595	20.267	20.960
N	2	07930C	Plant Repair Worker	H		19.354	20.017	20.702
N	2	08141C	Police Equipment					
			Specialist	H		21.788	22.472	23.477
N	2	10960C	Welder (working in shop)	H	20.062		20.898	
N	2	10980C	Welder Mechanic					
			Public Works	H		18.766	19.420	20.104
N	2	2620C	Construction Equipment Operator/Oiler Apprentice					
			0-1000 hours	H			11.728	
			1001-2000 hours	H			13.667	
			2001-3000 hours	H			15.596	
			3001-4000 hours	H			17.546	

Provided that current City employees participation in the Construction Equipment Operator/Oiler Apprenticeship program shall receive the wage afforded their previous position, or the top step Construction Equipment Operator/Oiler rate, whichever is lesser, until such time as the apprenticeship wage exceeds their previous rate or until they complete the program.

Provided that new employees hired into classifications with six-month rates shall remain in the six-month rate until they have 1044 hours of actual work according to present policies governing probationary periods and incremental increases, subject to a maximum of 80 hours per pay period.

Provided that Automotive Mechanics assigned and working on an "outside truck" shall be paid a premium of fifty-two cents (\$.52) per hour. This premium shall be limited in its application to a total cost to the city of up to four (4) full time equivalents.

Provided that when Construction Equipment Operator/Oilers are assigned to work performed in an underground tunnel, they shall be paid a premium of thirty-two cents (\$.32) per hour.



Provided that when employees are assigned to work in a Hazwoper area (OSHA defined), they shall receive a Hazwoper premium based on OSHA limits:

- Level I - \$0.32
- Level II - \$0.52
- Level III - \$0.79

Provided that one dollar and seven cents (\$1.07) per hour shall be added to the Construction Equipment Operator/Oiler base rate of pay when assigned to "A" rated machines [Stationary Concrete Plant (Over 34 E); Power Dredge; Concrete Paver; Power Shovel; Dragline; Clamshell; Motor Grader (except winter maintenance); Asphalt roller (over 6 tons); Slip-Form Curb Machine; Loader (4 1/2 yards & above); Bituminous Spreader & Finisher.]

Provided that when Construction Equipment Operator/Oilers are assigned to work on a Crawler Hoe, they shall be paid a premium of \$1.59 per hour for all hours on the equipment.

Provided that when Construction Equipment Operator/Oilers are assigned on work on a Cable Crane or Boom Truck, they shall be paid a premium of \$2.11 per hour for all hours on the equipment.

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend shift differential of \$.94 per hour.

Provided that employees shall receive the following longevity:

These payments shall be based on a maximum of 80 hours biweekly:

- .165 cents per hour additional at the beginning of the 10th year of service
- .279 cents per hour additional at the beginning of the 15th year of service
- .330 cents per hour additional at the beginning of the 20th year of service
- .474 cents per hour additional at the beginning of the 25th year of service

EFFECTIVE June 1, 2001 the following premiums shall apply:

**HAZ-MAT Certification:**

a. In its sole discretion, the Employer may identify up to 20 Construction Equipment Operators, 8 Automotive Mechanics and all employees in the positions of Plant Repair Worker, Plant Operator, and Blacksmith to receive an additional \$0.20 per hour for attaining and maintaining a valid HAZ-MAT certification. Opportunities for attaining certification shall be offered on a seniority basis. Once certified, eligible employees may be assigned to job sites at the discretion of the Employer. Such assignments shall not replace their permanent assignment. Beginning with the equipment bid in May, 2003, Mechanics assigned the outside truck shall be required to be Haz-Mat certified. Employees receiving this premium shall not be eligible for the hourly premiums in section "b".

b. Employees certified and assigned to wear OSHA personal protective equipment, shall receive the following premiums for all hours actual worked:

- Level A (as defined by OSHA) - \$1.25/hour
- Level B (as defined by OSHA) - \$.90/hour
- Level C (as defined by OSHA) - \$.60/hour

**WELDING Certification:**

- \* The Employer may identify up to 2 Core and 2 Supplemental welding certifications.
- \* Each Welder, Blacksmith, Plant Repair Worker and Plant Operator shall be eligible for an additional \$0.30 per hour for attaining and maintaining each of the 2 Core certifications.
- \* Each Welder, Blacksmith and Plant Repair Worker shall be eligible for an additional \$0.30 per hour for attaining and maintaining each of the 2 Supplemental certifications.
- \* For supplemental certifications, the Employer shall identify the number of employees it needs certified.

\* In order of seniority, employees, up to the number identified by the Employer, shall be compensated an additional \$0.30 per hour for each certification attained and maintained.

ASE Certification:

**AUTOMOTIVE MECHANIC & AUTOMOTIVE MECHANIC/AUTO BODY "A"**  
**ASE CERTIFICATION**

Wage  
Adjustment

If an employee shows proof of successfully passing any two (2) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), Medium/Heavy Truck or Automobile Technician tests, such employee shall be eligible for a wage adjustment:

ASE \$.30/hour

**AUTOMOTIVE MECHANIC "B"**  
**ASE CERTIFICATION**

Wage  
Adjustment

If an employee shows proof of successfully passing any four (4) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:

ASE \$.60/hour

**AUTOMOTIVE MECHANIC "C"**  
**ASE CERTIFICATION**

Wage  
Adjustment

If an employee shows proof of successfully passing any six (6) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:

ASE \$.90/hour

**AUTOMOTIVE MECHANIC "D"**  
**ASE CERTIFICATION**

Wage  
Adjustment

If an employee shows proof of successfully passing any eight (8) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:

ASE \$1.20/hour

- T1 – Gasoline Engines
- T2 – Diesel Engines
- T3 – Drive Train
- T4 – Brakes
- T5 – Suspension and Steering
- T6 – Electrical/Electronic Systems
- T7 – Heating and Air Conditioning
- T8 – Preventive Maintenance Inspection (PMI)
- A1 – Engine Repair
- A2 – Automatic Transmission/Transaxle

A3 – Manual Drive Train  
A4 – Suspension and Steering  
A5 – Brakes  
A6 – Electrical/Electronic Systems  
A7 – Heating and Air Conditioning  
A8 – Engine Performance

\*Actual rates paid for Automotive Mechanic employees achieving certain ASE certifications (ASE A, B,C,D) shall be as follows:

	<u>Year 2001</u>
Any two (2) ASE certification A	\$21.198/hour
Any four (4) ASE certification B	\$21.498/hour
Any six (6) ASE certification C	\$21.798/hour
Any eight (8) ASE certification D	\$22.098/hour

- \* IUOE member must keep ratings current and must advise the City of any change in status.
- \*City will pay the registration fee for all IUOE members and will reimburse IUOE members the testing fee for each test successfully completed.
- \* City will purchase and provide a library for all IUOE members of all agreed upon study materials.
- \* IUOE members will study for the test on their own time.
- \* If tests are only offered during an employee's regularly scheduled shift, they shall test on City time.
- \* Automotive Mechanics shall not be required to have ASE certifications.

**TUNNEL PAY:**

"Provided that when Employees are assigned to work performed in an underground tunnel, they shall be paid a premium of thirty-three cents (\$.33) per hour."

**OUTSIDE TRUCK PREMIUM:**

"Provided that Automotive Mechanics regularly assigned and working on an "outside truck" shall be paid a premium of fifty-four cents (\$.54) per hour on all compensated hours. Automotive Mechanic temporarily assigned on an "outside truck" shall be paid a premium of fifty-four cents (\$.54) per hour for hours worked."

**PAVER AND CURB MACHINE UPGRADE:**

"Provided that when Construction Equipment Operator/Oilers are assigned to work on a Crawler Hoe, Paver, or Curb Machine, they shall be paid a premium of \$1.64 per hour for all hours on the equipment."

**CONFINED SPACE ENTRY:**

"Employees working in the classifications of Mechanic, Blacksmith/Welder, Plant Repair Worker, and/or Plant Operator shall be paid a premium of \$.32 per hour for all hours worked where a "spotter" or a harness is required to perform the job in a safe manner. A Foreman, Supervisor or Fire Department employee trained in Confined Space Entry shall establish the requirement and secure the necessary permits. Time shall be calculated with a one-hour minimum and half-hour increments thereafter."

**CRANE CERTIFICATION PREMIUM:**

"There shall be a fifty cents (\$.50) per hour premium on all compensated hours for 8 crane operators who have a National CCO Certification. The opportunity for this certification premium shall be offered by seniority."

- \* IUOE member must keep certification current and must advise the City of any change in status.
- \*City will pay the registration fee for all IUOE members and will reimburse IUOE members the testing fee for each test successfully completed and one failed test.
- \* City will purchase and provide a library for all IUOE members of all agreed upon study materials.
- \* IUOE members will study for the test on their own time.
- \* If tests are only offered during an employee's regularly scheduled shift, they shall test on City time.

\* Construction Equipment Operators shall not be required to have CCO certifications.

**SCAFFOLDING PAY:**

"Paid to all employees while working on temporary platforms or scaffolding > ten (10) feet above the ground shall be paid sixteen cents (\$.16) per hour premium pay.

\*"Coveralls shall be provided to the CEO regularly assigned to the Fridley Water Yard."

**International Union of Operating Engineers, Local 49 (CEQ)**

**Effective May 1, 2001**

Permit rates of pay for maintenance and capital funded projects:

FLSA	OTC	CODE	CLASSIFICATION	RATE /HOUR	T.TAX /HOUR	FRINGE HOUR	TOTAL / HOUR
N	2	02460C	Con. Equipment Operator (A)	25.02	22.52	7.55	30.07
N	2	02470C	Con. Equipment Operator (B)	24.84	22.36	7.55	29.91
N	2	02480C	Con. Equipment Operator (C)	24.72	22.25	7.55	29.80
N	2	02490C	Con. Equipment Operator (D)	21.78	19.60	7.55	27.15
N	2	02500C	Con. Equipment Operator (E)	21.68	19.51	7.55	27.06
N	2	02540C	Con. Equip. Operator-Oiler	20.47	18.42	7.55	25.97
N	2	02550C	Con. Equip. Oiler -Truck Crane	20.57	18.51	7.55	26.06

Section 2. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2002:

**International Union of Operating Engineers, Local 49 (CEQ)**

**Effective January 1, 2002**

FLSA	OTC	CODE	CLASSIFICATION	P	5 Month Rate	6 Month Rate	1st STEP	2nd STEP
N	2	01170C	Automotive Mechanic/Auto Body	H	20.714		21.577	
N	2	01180C	Automotive Mechanic	H	20.714		21.577	
N	2	01340C	Blacksmith	H		19.983	20.668	21.375
N	2	02560C	Construction Equipment Oiler	H		18.088	18.677	19.266
N	2	02520C	Construction Equipment Operator/Oiler	H	20.541		21.396	
N	2	04160C	Equipment Repair Coordinator	H		19.375	20.049	21.002
N	2	04520C	Foreman, Auto Mechanic	H		22.496	23.202	24.240
N	2	04820C	Foreman, Paving Products Plant	H		22.496	23.202	24.240
N	2	07060C	Mechanic Helper	H		18.215	18.869	19.543
N	2	07920C	Plant Operator, Paving Products	H		20.232	20.926	21.641
N	2	07930C	Plant Repair Worker	H		19.983	20.668	21.375
N	2	08141C	Police Equipment Specialist	H		22.496	23.202	24.240
N	2	10960C	Welder (working in shop)	H	20.714		21.577	
N	2	10980C	Welder Mechanic Public Works	H		19.376	20.051	20.757

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2	2620C	Construction Equipment Operator/Oiler Apprentice		
		0-1000 hours	H	12.109
		1001-2000 hours	H	14.111
		2001-3000 hours	H	16.103
		3001-4000 hours	H	18.116

Provided that current City employees participation in the Construction Equipment Operator/Oiler Apprenticeship program shall receive the wage afforded their previous position, or the top step Construction Equipment Operator/Oiler rate, whichever is lesser, until such time as the apprenticeship wage exceeds their previous rate or until they complete the program.

Provided that new employees hired into classifications with six-month rates shall remain in the six-month rate until they have 1044 hours of actual work according to present policies governing probationary periods and incremental increases, subject to a maximum of 80 hours per pay period.

Provided that \$1.105 per hour shall be added to the Construction Equipment Operator/Oiler base rate of pay when assigned to "A" rated machines [Stationary Concrete Plant (Over 34 E); Power Dredge; Concrete Paver; Power Shovel; Dragline; Clamshell; Motor Grader (except winter maintenance); Asphalt roller (over 6 tons); Slip-Form Curb Machine; Loader (4 1/2 yards & above); Bituminous Spreader & Finisher.]

Provided that when Construction Equipment Operator/Oilers are assigned on work on a Cable Crane or Boom Truck, they shall be paid a premium of \$2.179 per hour for all hours on the equipment.

**HAZ-MAT Certification:**

a. In its sole discretion, the Employer may identify up to 20 Construction Equipment Operators, 8 Automotive Mechanics and all employees in the positions of Plant Repair Worker, Plant Operator, and Blacksmith to receive an additional \$0.207 per hour for attaining and maintaining a valid HAZ-MAT certification. Opportunities for attaining certification shall be offered on a seniority basis. Once certified, eligible employees may be assigned to job sites at the discretion of the Employer. Such assignments shall not replace their permanent assignment. Beginning with the equipment bid in May, 2003. Mechanics assigned the outside truck shall be required to be Haz-Mat certified. Employees receiving this premium shall not be eligible for the hourly premiums in section "b".

b. Employees certified and assigned to wear OSHA personal protective equipment, shall receive the following premiums for all hours actual worked:

Level A (as defined by OSHA) - \$1.291/hour

Level B (as defined by OSHA) - \$.929/hour

Level C (as defined by OSHA) - \$.620/hour

**WELDING Certification:**

\* The Employer may identify up to 2 Core and 2 Supplemental welding certifications.

\* Each Welder, Blacksmith, Plant Repair Worker and Plant Operator shall be eligible for an additional \$0.310 per hour for attaining and maintaining each of the 2 Core certifications.

\* Each Welder, Blacksmith and Plant Repair Worker shall be eligible for an additional \$0.310 per hour for attaining and maintaining each of the 2 Supplemental certifications.

\* For supplemental certifications, the Employer shall identify the number of employees it needs certified.

\* In order of seniority, employees, up to the number identified by the Employer, shall be compensated an additional \$0.310 per hour for each certification attained and maintained.

**ASE Certification:**

AUTOMOTIVE MECHANIC & AUTOMOTIVE MECHANIC/AUTO BODY "A"  
ASE CERTIFICATION

Wage  
Adjustment

<p>If an employee shows proof of successfully passing any two (2) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), Medium/Heavy Truck or Automobile Technician tests, such employee shall be eligible for a wage adjustment:</p>	<p>ASE \$.310/hour</p>
<p>AUTOMOTIVE MECHANIC "B" ASE CERTIFICATION If an employee shows proof of successfully passing any four (4) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:</p>	<p>Wage Adjustment ASE \$.620/hour</p>
<p>AUTOMOTIVE MECHANIC "C" ASE CERTIFICATION  If an employee shows proof of successfully passing any six (6) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:</p>	<p>Wage Adjustment  ASE \$.929/hour</p>
<p>AUTOMOTIVE MECHANIC "D" ASE CERTIFICATION  If an employee shows proof of successfully passing any eight (8) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:</p>	<p>Wage Adjustment  ASE \$1.291/hour</p>
<p>T1 – Gasoline Engines T2 – Diesel Engines T3 – Drive Train T4 – Brakes T5 – Suspension and Steering T6 – Electrical/Electronic Systems T7 – Heating and Air Conditioning T8 – Preventive Maintenance Inspection (PMI) A1 – Engine Repair A2 – Automatic Transmission/Transaxle A3 – Manual Drive Train A4 – Suspension and Steering A5 – Brakes A6 – Electrical/Electronic Systems A7 – Heating and Air Conditioning A8 – Engine Performance</p>	

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\*Actual rates paid for Automotive Mechanic employees achieving certain ASE certifications (ASE A, B, C, D) shall be as follows:

	<u>Year 2002</u>
Any two (2) ASE certification A	\$21.706/hour
Any four (4) ASE certification B	\$22.016/hour
Any six (6) ASE certification C	\$22.325/hour
Any eight (8) ASE certification D	\$22.686/hour

- \* IUOE member must keep ratings current and must advise the City of any change in status.
- \*City will pay the registration fee for all IUOE members and will reimburse IUOE members the testing fee for each test successfully completed.
- \* City will purchase and provide a library for all IUOE members of all agreed upon study materials.
- \* IUOE members will study for the test on their own time.
- \* If tests are only offered during an employee's regularly scheduled shift, they shall test on City time.
- \* Automotive Mechanics shall not be required to have ASE certifications.

**TUNNEL PAY:**

"Provided that when Employees are assigned to work performed in an underground tunnel, they shall be paid a premium of \$.341 per hour."

**OUTSIDE TRUCK PREMIUM:**

"Provided that Automotive Mechanics regularly assigned and working on an "outside truck" shall be paid a premium of \$.558 per hour on all compensated hours. Automotive Mechanics temporarily assigned on an "outside truck" shall be paid a premium of \$.558 per hour for hours worked.

**PAVER AND CURB MACHINE UPGRADE:**

"Provided that when Construction Equipment Operator/Oilers are assigned to work on a Crawler Hoe, Paver, or Curb Machine, they shall be paid a premium of \$1.693 per hour for all hours on the equipment."

**CONFINED SPACE ENTRY:**

"Employees working in the classifications of Mechanic, Blacksmith/Welder, Plant Repair Worker, and/or Plant Operator shall be paid a premium of \$.330 per hour for all hours worked where a "spotter" or a harness is required to perform the job in a safe manner. A Foreman, Supervisor or Fire Department employee trained in Confined Space Entry shall establish the requirement and secure the necessary permits. Time shall be calculated with a one-hour minimum and half-hour increments thereafter."

**CRANE CERTIFICATION PREMIUM:**

"There shall be a \$.516 per hour premium on all compensated hours for 8 crane operators who have a National CCO Certification. The opportunity for this certification premium shall be offered by seniority."

- \* IUOE member must keep certification current and must advise the City of any change in status.
- \*City will pay the registration fee for all IUOE members and will reimburse IUOE members the testing fee for each test successfully completed and one failed test.
- \* City will purchase and provide a library for all IUOE members of all agreed upon study materials.
- \* IUOE members will study for the test on their own time.
- \* If tests are only offered during an employee's regularly scheduled shift, they shall test on City time.
- \* Construction Equipment Operators shall not be required to have CCO certifications.

**SCAFFOLDING PAY:**

"Paid to all employees while working on temporary platforms or scaffolding > ten (10) feet above the ground shall be paid \$.165 per hour premium pay.

\*"Coveralls shall be provided to the CEO regularly assigned to the Fridley Water Yard."

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend shift differential of \$.971 per hour.

Provided that employees shall receive the following longevity:

These payments shall be based on a maximum of 80 hours biweekly:

- .170 cents per hour additional at the beginning of the 10th year of service
- .288 cents per hour additional at the beginning of the 15th year of service
- .341 cents per hour additional at the beginning of the 20th year of service
- .489 cents per hour additional at the beginning of the 25th year of service

Section 3. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective January 1, 2003:

**International Union of Operating Engineers, Local 49 (CEQ)  
Effective January 1, 2003**

FLSA	OTC	CODE	CLASSIFICATION	P	5 Month Rate	6 Month Rate	1st STEP	2nd STEP
N	2	01170C	Auto Body Repair Worker-Painter	H	21.387		22.278	
N	2	01180C	Automotive Mechanic Automotive Mechanic/ Auto Body	H	21.387		22.278	
N	2	01340C	Blacksmith	H		20.632	21.339	22.069
N	2	02560C	Construction Equipment Oiler	H		18.676	19.284	19.893
N	2	02520C	Construction Equipment Operator/Oiler	H	21.208		22.092	
N	2	04160C	Equipment Repair Coordinator	H		20.005	20.701	21.685
N	2	04520C	Foreman, Auto Mechanic	H		23.227	23.956	25.028
N	2	04820C	Foreman, Paving Products Plant	H		23.227	23.956	25.028
N	2	07060C	Mechanic Helper	H		18.807	19.482	20.178
N	2	07920C	Plant Operator, Paving Products	H		20.889	21.606	22.345
N	2	07930C	Plant Repair Worker	H		20.632	21.339	22.069
N	2	08141C	Police Equipment Specialist	H		23.227	23.956	25.028
N	2	10960C	Welder (working in shop)	H	21.387		22.278	
N	2	10980C	Welder Mechanic Public Works	H		20.006	20.703	21.432
N	2	2620C	Construction Equipment Operator/Oiler Apprentice 0-1000 hours	H			12.503	
			1001-2000 hours	H			14.570	
			2001-3000 hours	H			16.626	
			3001-4000 hours	H			18.705	

Provided that current City employees participation in the Construction Equipment Operator/Oiler Apprenticeship program shall receive the wage afforded their previous position, or the top step Construction Equipment Operator/Oiler rate, whichever is lesser, until such time as the apprenticeship wage exceeds their previous rate or until they complete the program.



Provided that new employees hired into classifications with six-month rates shall remain in the six-month rate until they have 1044 hours of actual work according to present policies governing probationary periods and incremental increases, subject to a maximum of 80 hours per pay period.

Provided that \$1.141 per hour shall be added to the Construction Equipment Operator/Oiler base rate of pay when assigned to "A" rated machines [Stationary Concrete Plant (Over 34 E); Power Dredge; Concrete Paver; Power Shovel; Dragline; Clamshell; Motor Grader (except winter maintenance); Asphalt roller (over 6 tons); Slip-Form Curb Machine; Loader (4 1/2 yards & above); Bituminous Spreader & Finisher.]

Provided that when Construction Equipment Operator/Oilers are assigned on work on a Cable Crane or Boom Truck, they shall be paid a premium of \$2.250 per hour for all hours on the equipment.

**HAZ-MAT Certification:**

a. In its sole discretion, the Employer may identify up to 20 Construction Equipment Operators, 8 Automotive Mechanics and all employees in the positions of Plant Repair Worker, Plant Operator, and Blacksmith to receive an additional \$0.214 per hour for attaining and maintaining a valid HAZ-MAT certification. Opportunities for attaining certification shall be offered on a seniority basis. Once certified, eligible employees may be assigned to job sites at the discretion of the Employer. Such assignments shall not replace their permanent assignment. Beginning with the equipment bid in May, 2003. Mechanics assigned the outside truck shall be required to be Haz-Mat certified. Employees receiving this premium shall not be eligible for the hourly premiums in section "b".

b. Employees certified and assigned to wear OSHA personal protective equipment, shall receive the following premiums for all hours actual worked:

Level A (as defined by OSHA) - \$1.333/hour

Level B (as defined by OSHA) - \$.959/hour

Level C (as defined by OSHA) - \$.640/hour

**WELDING Certification:**

\* The Employer may identify up to 2 Core and 2 Supplemental welding certifications.

\* Each Welder, Blacksmith, Plant Repair Worker and Plant Operator shall be eligible for an additional \$0.320 per hour for attaining and maintaining each of the 2 Core certifications.

\* Each Welder, Blacksmith and Plant Repair Worker shall be eligible for an additional \$0.320 per hour for attaining and maintaining each of the 2 Supplemental certifications.

\* For supplemental certifications, the Employer shall identify the number of employees it needs certified.

\* In order of seniority, employees, up to the number identified by the Employer, shall be compensated an additional \$0.320 per hour for each certification attained and maintained.

**ASE Certification:**

**AUTOMOTIVE MECHANIC & AUTOMOTIVE MECHANIC/AUTO BODY "A"  
ASE CERTIFICATION**

**Wage  
Adjustment**

If an employee shows proof of successfully passing any two (2) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), Medium/Heavy Truck or Automobile Technician tests, such employee shall be eligible for a wage adjustment:

**ASE \$.320/hour**

AUTOMOTIVE MECHANIC "B" ASE CERTIFICATION	Wage Adjustment
If an employee shows proof of successfully passing any four (4) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:	ASE \$.640/hour
AUTOMOTIVE MECHANIC "C" ASE CERTIFICATION	Wage Adjustment ASE \$.959/hour
If an employee shows proof of successfully passing any six (6) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:	
AUTOMOTIVE MECHANIC "D" ASE CERTIFICATION	Wage Adjustment
If an employee shows proof of successfully passing any eight (8) of the following tests provided and administered by the National Institute for Automotive Service Excellence (ASE), such employee shall be eligible for a wage adjustment:	ASE \$1.333/hour
T1 – Gasoline Engines T2 – Diesel Engines T3 – Drive Train T4 – Brakes T5 – Suspension and Steering T6 – Electrical/Electronic Systems T7 – Heating and Air Conditioning T8 – Preventive Maintenance Inspection (PMI) A1 – Engine Repair A2 – Automatic Transmission/Transaxle A3 – Manual Drive Train A4 – Suspension and Steering A5 – Brakes A6 – Electrical/Electronic Systems A7 – Heating and Air Conditioning A8 – Engine Performance	

\*Actual rates paid for Automotive Mechanic employees achieving certain ASE certifications (ASE A, B, C, D) shall be as follows:

	<u>Year 2003</u>
Any two (2) ASE certification A	\$22.412/hour
Any four (4) ASE certification B	\$22.732/hour
Any six (6) ASE certification C	\$23.051/hour
Any eight (8) ASE certification D	\$23.425/hour

- \* IUOE member must keep ratings current and must advise the City of any change in status.
- \* City will pay the registration fee for all IUOE members and will reimburse IUOE members the testing fee for each test successfully completed.
- \* City will purchase and provide a library for all IUOE members of all agreed upon study materials.
- \* IUOE members will study for the test on their own time.
- \* If tests are only offered during an employee's regularly scheduled shift, they shall test on City time.
- \* Automotive Mechanics shall not be required to have ASE certifications.

**TUNNEL PAY:**

"Provided that when Employees are assigned to work performed in an underground tunnel, they shall be paid a premium of \$.352 per hour."

**OUTSIDE TRUCK PREMIUM:**

"Provided that Automotive Mechanics regularly assigned and working on an "outside truck" shall be paid a premium of \$.576 per hour on all compensated hours. Automotive Mechanics temporarily assigned on an "outside truck" shall be paid a premium of \$.576 per hour for hours worked.

**PAVER AND CURB MACHINE UPGRADE:**

"Provided that when Construction Equipment Operator/Oilers are assigned to work on a Crawler Hoe, Paver, or Curb Machine, they shall be paid a premium of \$1.748 per hour for all hours on the equipment."

**CONFINED SPACE ENTRY:**

"Employees working in the classifications of Mechanic, Blacksmith/Welder, Plant Repair Worker, and/or Plant Operator shall be paid a premium of \$.341 per hour for all hours worked where a "spotter" or a harness is required to perform the job in a safe manner. A Foreman, Supervisor or Fire Department employee trained in Confined Space Entry shall establish the requirement and secure the necessary permits. Time shall be calculated with a one-hour minimum and half-hour increments thereafter."

**CRANE CERTIFICATION PREMIUM:**

"There shall be \$.533 per hour premium on all compensated hours for 8 crane operators who have a National CCO Certification. The opportunity for this certification premium shall be offered by seniority."

- \* IUOE member must keep certification current and must advise the City of any change in status.
- \* City will pay the registration fee for all IUOE members and will reimburse IUOE members the testing fee for each test successfully completed and one failed test.
- \* City will purchase and provide a library for all IUOE members of all agreed upon study materials.
- \* IUOE members will study for the test on their own time.
- \* If tests are only offered during an employee's regularly scheduled shift, they shall test on City time.
- \* Construction Equipment Operators shall not be required to have CCO certifications.

**SCAFFOLDING PAY:**

"Paid to all employees while working on temporary platforms or scaffolding > ten (10) feet above the ground shall be paid \$.170 per hour premium pay."

\*"Coveralls shall be provided to the CEO regularly assigned to the Fridley Water Yard."

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/ weekend shift differential of \$1.003 per hour.

Provided that employees shall receive the following longevity:

These payments shall be based on a maximum of 80 hours biweekly:

- .176 cents per hour additional at the beginning of the 10th year of service
- .297 cents per hour additional at the beginning of the 15th year of service
- .352 cents per hour additional at the beginning of the 20th year of service
- .505 cents per hour additional at the beginning of the 25th year of service

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001. J. Cherryhomes, President of Council.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends passage of the accompanying Salary Ordinance, reflecting the 2001 salaries for the International Brotherhood of Electrical Workers, Local #292, Electricians' Unit.

Your Committee further recommends that summary publication of the above-described Ordinance be authorized.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-087 amending Title 2, Chapter 20, of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, reflecting 2001 salary adjustments for the International Brotherhood of Electrical Workers, Local #292, Electricians Unit, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-087**  
**By Campbell**  
**1st & 2nd Readings: 7/13/2001**

**Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.**

The City Council of the City of Minneapolis do ordain as follows:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective May 1, 2001, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee, but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

Section 1. That the following classifications in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes effective May 1, 2001:

**ELECTRICIANS (CEL) Effective May 1, 2001**  
**Group I:**

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	1st 120 Days Hourly Rate
N	2	03860C	Electrician	H	29.96	38.50

					1st	2nd	3rd	4th	5th	6th
				P	STEP	STEP	STEP	STEP	STEP	STEP
N	2	04600C	Foreman, Electrician	H	30.39	30.70	31.01	31.32	31.64	31.96
N	2	04605C	Foreman, (Master)							
			Electrician	H	31.34	31.66	31.98	32.30	32.63	32.96
N	3	05140C	*General Forman,							
			Electrician	H	32.30	32.62	32.95	33.28	33.62	33.96

\*This classification is located in the Minneapolis City Supervisor's Union. A letter of agreement stipulates that the salary for this classification be based upon the Building Trades Formula. The salary information is provided here for convenience.

**ELECTRICIANS (CEL) Effective May 1, 2001**

**Group II (temporary)**

FLSA	OTC	CODE	CLASSIFICATION	P	Hourly Rate	Taxable Vacation	Non Taxable Fringe Benefit
N	2	C91200	Electrician (temporary)	H	28.80	3.80	9.34
N	2	C91805	Foreman, Electrician, (temporary)	H	30.80	4.06	9.99
N	2	C91810	Foreman, (Master) Electrician (temp)	H	31.80	4.19	10.32

**OVERTIME RATES:**

N	2	C91200	Electrician (temporary)	H	43.20	5.70	14.01
N	2	C91805	Foreman, Electrician (temporary)	H	46.20	6.09	14.99
N	2	C91810	Foreman, (Master) Electrician (temp)	H	47.70	6.29	15.47

Provided that new temporary trades personnel, and temporary trades personnel currently on the city payroll not vested in PERA, shall be included in the program to send benefit funds to the Building Trades Trust Funds.

Provided that a night shift differential of \$1.50 per hour for each hour, or fraction thereof, they actually work, shall be paid to all employees assigned to a second shift (any full work shift which begins between the hours of 12:01 p.m. and 6:00 p.m.) of the employer's signal truck operation.

**APPRENTICE RATES: Indentured before May 3, 1997**

					Hourly Rate	Taxable Vacation	Non Taxable Fringe Benefit
N	2	Electrician (Apprentice)		P			
		5th Period		H	20.16	2.66	7.53
		6th Period		H	23.04	3.04	8.07
		Overtime 5th Period		H	30.24	3.99	9.81
		6th Period		H	34.56	4.56	11.21

**APPRENTICE RATES: Indentured on or after May 3, 1997**

				<b>Hourly Rate</b>	<b>Taxable Vacation</b>	<b>Non Taxable Fringe Benefit</b>
N	2	Electrician (Apprentice)	P			
		1st Period	H	11.52	0.00	4.63
		2nd Period	H	12.96	0.00	4.75
		3rd Period	H	14.40	1.90	6.43
		4th Period	H	15.84	2.09	6.71
		5th Period	H	17.28	2.28	6.98
		6th Period	H	18.72	2.47	7.25
		7th Period	H	20.16	2.66	7.53
		8th Period	H	21.89	2.89	7.85
		9th Period	H	23.90	3.15	8.24
		10th Period	H	26.21	3.46	8.67
<b>OVERTIME RATES:</b>						
		1st Period	H	17.28	0.00	6.95
		2nd Period	H	19.44	0.00	7.13
		3rd Period	H	21.60	2.85	9.65
		4th Period	H	23.76	3.13	10.06
		5th Period	H	25.92	3.42	10.47
		6th Period	H	28.08	3.70	10.88
		7th Period	H	30.24	3.99	11.29
		8th Period	H	32.84	4.33	11.78
		9th Period	H	35.85	4.73	12.35
		10th Period	H	39.32	5.19	13.01

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**W&M/Budget** - Your Committee recommends approval of the following appropriation increases, which accurately reflect carryover of Information and Technology Services (ITS) budgeted, but unspent 2000 funds:

a) Appropriation increase of \$208,000 to cover the cost of relocation of the ITS Department from the Hennepin County Government Center to City Hall; and

b) Appropriation increase of \$512,000 to cover the cost of purchase commitments made in 2000.

Your Committee further recommends passage of the accompanying Resolution increasing the ITS Agency appropriation by \$720,000.

Campbell moved that the report be referred back to the Ways & Means/Budget Committee. Seconded.

Adopted upon a voice vote.

**W&M/Budget** - Your Committee recommends acceptance of up to \$10,000 from Walter Fields, as reimbursement for costs related to inter-nasal vaccinations for cats and dogs, as needed, and further recommends approval to carry over unexpended funds for continuation of said vaccinations at the City's Animal Shelter.

Your Committee further recommends that the proper City officers be authorized to execute a contract with Walter Fields, setting forth the terms and conditions of said donation.

Your Committee further recommends passage of the accompanying resolution increasing the Licenses and Consumer Services appropriation and revenue estimate by \$10,000.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**RESOLUTION 2001R-313**  
**By Campbell**

**Amending The 2001 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Licenses and Consumer Services Agency in the Grants - Other Fund (0600-835-8395-6020) by \$10,000, and increasing the Licenses and Consumer Services Agency revenue estimate in the Grants - Other Fund (0600-835-8395-6020-Source 3720) by \$10,000, as reimbursement for costs related to inter-nasal vaccinations for cats and dogs.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001. J. Cherryhomes, President of Council.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** and **ZONING & PLANNING** Committees submitted the following reports:

**W&M/Budget & Z&P** - Your Committee recommends acceptance of the low bid received on OP #5659 (Petr No 267099), submitted by Arrigoni Brothers Company, in the amount of \$189,768.40, to accomplish Central Crime Prevention Through Environmental Design (CPTED) Improvements, as follows:

Base Bid of \$260,768.40, with deletion of Alternate #1, in the amount of \$71,000, for a total of \$189,768.40.

Your Committee further recommends that the proper City Officers be authorized to execute a contract for the above project(s) and/or service(s), in accordance with specifications prepared by Damon Farber Associates, Inc.

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

**W&M/Budget & Z&P** - Your Committee recommends that the proper City officers be authorized to execute a contract with the IBI Group, Inc. of Irvine, California to provide consulting services for the Downtown East North Loop Master Plan, with scheduled completion and approval of the project by year-end 2002, in an amount not to exceed \$235,000, payable from the Planning Department Agency in the Grants - Other Fund (0600-380-3820).

Adopted. Yeas, 12; Nays none.  
Absent - Niland.  
Passed July 13, 2001.  
Approved July 19, 2001. S. Sayles Belton, Mayor.  
Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

**Z&P** - Your Committee, having under consideration (a) the application of American Indian Housing & Community Development Corporation (AIHCDC) (Vac #1358) to vacate the west half of the east/west

alley between 14th Av S and 15th Av S and the Southerly 70' of the north/south alley bounded by E Franklin Av and 19th St, and

(b) the application of AIHCDC (BZZ-28) to rezone 1400-1410 E Franklin Av from the C1 to the C2 district, and to rezone 1915-1921 14th Av S from the R4 to the C2 zoning district, all to permit development of a 4-story, mixed use building with 26 dwelling units and 6,000 sq ft of commercial space, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267103 relating to the vacation and rezoning applications, to approve the vacation application subject to retention of easement rights by Xcel Energy, Time-Warner Cable, and MCI Worldcom, and to approve the rezoning application.

Your Committee further recommends passage of the accompanying resolution vacating said alleys and the accompanying amendment to the Zoning Code, and to authorize publication of the resolution and ordinance in summary form.

Adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-314 entitled "Vacating the West half of the East/West alley between 14th Avenue South and 15th Avenue South and the Southerly 70' of the North/South alley bounded by East Franklin Avenue and 19th Street. (Vac #1358).," was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete copy of the unpublished summarized resolution.

**RESOLUTION 2001R-314**  
**By McDonald**

**Vacating the West half of the East/West alley between 14th Avenue South and 15th Avenue South and the Southerly 70' of the North/South alley bounded by East Franklin Avenue and 19th Street. (Vac #1358).**

Resolved by The City Council of The City of Minneapolis:

That all that part of the West half of the East/West alley between 14th Avenue South and 15th Avenue South and the Southerly 70' of the North/South alley bounded by East Franklin Avenue and 19th Street is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy and MCI Worldcom, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

As to Xcel Energy and MCI Worldcom: The South 10' of the East/West alley; to operate, maintain, repair, alter, inspect or remove its above-described utility facilities, and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.



Ordinance 2001-Or-088 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1400 E Franklin Av, 1404-1410 E Franklin Av, 1921 14th Av S, and 1915 14th Av S to the C2 district, was passed , July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-088**  
**By McDonald**  
**1st & 2nd Readings: 7/13/2001**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lot 4, W 40 ft of Lot 7 and W 1/2 of Lot 6 except alley E 31 ft of W 71 ft of Lot 7, block 7; W 24 ft of E 70 10/12 ft except alley, Lots 6 & 7; W 24 ft of E 46 10/12 ft of Lot 6 and W 24 ft of E 46 10/12 ft of Lot 7 except part taken for alley lots 6 & 7; Lot 5, and E 22 10/12 feet of Lots 6 & 7 all of Block 7 CL WILLES ADDITION TO MINNEAPOLIS (1400 E Franklin Av, 1404-1410 E Franklin Av, 1921 14th Av S, 1915 14th Av S - Plate 21) to the C2 District.

Adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration

(a) the application of American Indian Housing & Community Development Corporation (AIHCDC) (Vac #1359) to vacate the north/south and east/west alleys in the block bounded by E Franklin Av, 19th St, 15th Av S and vacated 16th Av S, and

(b) the application of AIHCDC (BZZ-29) to rezone 1500-1510 E Franklin Av from the C1 to the OR2 district, and to rezone 1909-1913 15th Av S from the R4 to the OR2 zoning district, all to permit development of a 4-story, mixed use building with 49 dwelling units and 6,300 sq ft of commercial space, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267103 relating to the vacation and rezoning applications, to approve the vacation application subject to retention of easement rights by Xcel Energy, Time-Warner Cable, and MCI Worldcom, and to approve the rezoning application.

Your Committee further recommends passage of the accompanying resolution vacating said alleys and the accompanying amendment to the Zoning Code, and to authorize publication of the resolution and ordinance in summary form.

Adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-315 entitled "Vacating the North/South and East/West alleys in the block bounded by East Franklin Avenue, 19th Street, 15th Avenue South and vacated 16th Avenue South. (Vac #1359)." was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2001R-315**  
**By McDonald**

**Vacating the North/South and East/West alleys in the block bounded by East Franklin Avenue, 19th Street, 15th Avenue South and vacated 16th Avenue South. (Vac #1359).**

Resolved by The City Council of The City of Minneapolis:

That all that part of the North/South and East/West alleys in the block bounded by East Franklin Avenue, 19th Street, 15th Avenue South and vacated 16th Avenue South is hereby vacated except that such vacation shall not affect the existing easement right and authority of Xcel Energy, Time Warner Cable and MCI Worldcom, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

As to Xcel Energy, Time Warner Cable and MCI Worldcom: The South 10 feet of the alley that runs East and West and the East 10 feet of the alley that runs North and South in the block bounded by East Franklin Avenue and 9th Street East and 15th Avenue South and vacated 16th Avenue South; to operate, maintain, repair, alter, inspect or remove its above-described utility facilities, and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said alley upon or within the above-described areas without first obtaining the written approval of the corporations having utility facilities located within the area involved authorizing them to do so.

Adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 2001-Or-089 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 1500-1510 E Franklin Av, 1913 15th Av S, 1909 and 1911 15th Av S to the OR2 district, was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2001-Or-089**  
**By McDonald**  
**1st & 2nd Readings: 7/13/2001**

**Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

A. That part of Lots 1 & 2; Lots 3, 4 and 5; Lots 6 & 7; all of BRASIES SUBDIVISION LOTS BLOCK 3 CORNELLS ADDITION; Lot 14, Block 3 CORNELLS ADDITION AND LOT 070 Auditor's Subdivision no. 033 and lot 069 Auditor's Subdivision no. 033 (1500-1510 E Franklin Av, 1913 15th Av S, 1909 and 1911 15th Av S - Plate 21) to the OR2 District.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the application of Arnold Gregory (Vac #1361) to vacate that part of the alley located in Block 44, St Anthony Falls Addition, bounded by 1st Av NE, 2nd Av NE, Main St NE and 2nd St NE to be used as part of the site for 84 condominiums and 12 townhomes, as part of a planned unit development, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267103 and to grant said vacation, subject to retention of easement rights by Xcel Energy, Minnegasco and MCI Worldcom.

Your Committee further recommends passage of the accompanying resolution vacating said alley and publication of the resolution in summary form.

McDonald moved that the report be postponed. Seconded.

Adopted upon a voice vote.

**Z&P** - Your Committee recommends granting the application of Jason E Chandler Landis for a special permit to build a deck at 4025 22nd Av S, notwithstanding the Zoning Code (#2001-088).

Adopted.

Yeas, 9; Nays, 3 as follows:

Yeas - Campbell, Biernat, Goodman, Colvin Roy, McDonald, Herron, Johnson, Thurber, Cherryhomes.

Nays - Ostrow, Mead, Lane.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the action of the Board of Adjustment granting the application of the American Red Cross (Z-66) for a variance to increase the maximum permitted height of a wall sign from 24 ft to 43 ft at 1201 W River Parkway on condition that the sign be lighted only during Red Cross hours of operation; and further having under consideration the appeal of the Red Cross to allow the sign to be lighted 24 hours a day, 7 days a week; and having conducted a public hearing thereon, now recommends that said appeal be granted, notwithstanding the Board of Adjustment decision to impose the condition, and that the findings of fact prepared by the Planning staff and set forth in Petn No 267101 be adopted.

Adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Z&P** - Your Committee, having under consideration the application of the University of St Thomas for an interim use permit (CU-115) to allow a 156 stall, surface parking lot at 1125 Harmon Place, 55 11th St S, 36 12th St S, 44 12th St S, 69 11th St S and 1128 LaSalle Av for a one year period to expire July 1, 2002; and having conducted a public hearing thereon, now recommends adoption of the findings set forth in Petn No 267104 and approval of said application subject to the following conditions: (1) The Planning Department shall approve the final site and landscaping plans; and (2) The application is subject to the review and approval of the Heritage Preservation Commission.

Adopted.

Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

**Motions**

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of August, 2001, approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ostrow moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Eric Anderson for a residential block event to be held Saturday, July 7, 2001, between the hours of 10:00 a.m. and 10:00 p.m. on Ulysses Street NE between 30<sup>th</sup> Avenue NE and St. Anthony Pkwy, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Herron moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Park Avenue Methodist Church for a residential block event to be held Thursday, July 12, 2001 through Sunday, July 15, 2001, between the hours of 5:00 p.m. and 9:00 p.m. on Oakland Avenue South between 33<sup>rd</sup> and 35<sup>th</sup> Streets and on 34<sup>th</sup> Street from Park to Portland Avenues, having approval granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant North Minneapolis Christian Fellowship for a residential block event to be held Saturday, July 21, 2001, between the hours of 12:00 noon and 8:00 p.m. on 18<sup>th</sup> Avenue North between Emerson and Fremont Avenues North, subject to approval being granted by the Public Works Department to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Mead introduced the subject matter of an ordinance amending Title 17, Chapter 447 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Parades/Races*, which was given its first reading and referred to the Transportation & Public Works Committee (Providing for a shorter waiting period between application and action thereon and other amendments).

**Unfinished Business**

Auto Care Inc (5000 34<sup>th</sup> Av S): Revoke Motor Vehicle Repair Garage License for failure to complete the site plan review process. (Postponed 9/29/2000, PS&RS)

Minneapolis Community Development Agency (Guthrie Theater): Passage of Resolution vacating part of 20<sup>th</sup> Av S between 2<sup>nd</sup> St S & Mississippi River; Authorize summary publication. (Postponed 5/18/2001, Z&P)

Marchant Investment & Management Co. Inc: Passage of Resolution vacating 18<sup>th</sup> St NE between University Av & 2<sup>nd</sup> St to permit Bottineau Commons; Authorize summary publication. (Postponed 6/22/2001)

By unanimous consent, the above three reports continued to be postponed.

Near Northside Project: Passage of Resolutions vacating streets and alleys to permit designation of new streets; Authorize summary publication. (Postponed 6/22/2001)

**Z&P** - Your Committee, having under consideration the following applications of the City of Minneapolis to vacate streets and alleys to allow designation of new streets for the Near Northside Project:

Vac #1350A -- Aldrich Av N between Olson Hwy frontage road & 8th Av N,

Vac #1350B -- Bryant Av N between Olson Hwy frontage road & 11th Av N,

Vac #1350C -- Dupont Av N between Olson Hwy frontage road & 11th Av N,

Vac #1350D -- 8th Av N between Bryant & Aldrich Avs N,

Vac #1350E -- Portion of alley bounded by Dupont & Bryant Avs N, 8th Av N & Olson Hwy frontage road,

Vac #1350F -- Portion of alley bounded by Bryant & Aldrich Avs N, 8th Av N & Olson Hwy frontage road, and

Vac #1350G -- Olson Hwy frontage road between Dupont & Aldrich Avs N, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 267059 and to grant said vacations, subject to retention of easement rights as indicated below:

For Vac #1350A -- Xcel Energy, Qwest, Metropolitan Council and Reliant Energy for existing facilities, and retention of the water and sewer public utility easement;

For Vac #1350B and D -- Xcel Energy, Qwest, the Metropolitan Council and Reliant Energy for existing facilities; and

For Vac #1350C, E, F and G -- Xcel Energy, Qwest and the Metropolitan Council for existing facilities.

Your Committee further recommends passage of the accompanying resolution vacating said streets and alleys and summary publication of same.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 2001R-316 entitled "Vacating public streets and utilities in association with the replatting of the City of Minneapolis Near Northside (Vac ##1350A-1350G)," was passed July 13, 2001 by the City Council and approved July 19, 2001 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2001R-316**

**By McDonald**

**Vacating public streets and utilities in association with the replatting of the City of Minneapolis Near Northside (Vac ##1350A-1350G).**

Whereas, public roadways and utilities within the Near Northside Redevelopment Phase I area are being reconstructed and some of the roadways, utilities and easements are being reconfigured; and

Whereas, new public roadways and utility easements will be dedicated on the plat of the City of Minneapolis Near Northside and remaining portions of existing roadways will be re-dedicated on the plat; and

Whereas, abandon dates have been determined for those utilities being removed following vacations;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That all public streets and utilities within the area bound on the west by the east right-of-way line of Emerson Avenue North (formerly known as 22<sup>nd</sup> Street) and its extensions, as dedicated with the plats of Gale's Second Addition to Minneapolis and Jewett's Addition to Minneapolis, according to the recorded plats thereof; bound on the north by the south right-of-way line of 11th Avenue North and its extensions as dedicated with said Gale's Second Addition; bound on the south by the north right-of-way line of State Trunk Highway No. 55 being defined as the south line and its extensions of the north 20 feet of the following described properties:

Lots 11 to 22, inclusive, Block 6, Menage's 5th Addition To Minneapolis, according to the recorded plat thereof; Lots 11 and 12, Block 7, said Menage's 5th Addition To Minneapolis; Lots 11 to 20, inclusive, Block 9, Menage's 4th Addition To Minneapolis, according to the recorded plat thereof; Lots 11 to 22, inclusive, Block 8, said Menage's 4th Addition To Minneapolis; Lots 17 to 22, inclusive, Block 7, said Menage's 4th Addition To Minneapolis;

and bound on the east by the west right-of-way line of Interstate Highway No. 94 being defined as a line run parallel with and distant 3 feet westerly of "Line 1" described as follows:

Line 1. From the Southeast corner of Lot 3, Auditor's Subdivision No. 9, run North on the East line of said Lot 3 for 26 feet; thence deflect to the left at an angle of 90 degrees 00 minutes 00 seconds for 3.95 feet to the point of beginning of Line 1 to be described; thence deflect to the right at an angle of 89 degrees 59 minutes 51 seconds for 48 feet; thence deflect to the left on a tangential curve having a radius of 1883.86 feet and delta angle of 5 degrees 06 minutes 41 seconds for 168.06 feet; thence deflect to the left on a tangential curve having a radius of 190.99 feet and a delta angle of 21 degrees 52 minutes 58 seconds for 72.94 feet; thence on tangent to said curve for 0.30 feet; thence deflect to the right on a tangential curve having a radius of 216.21 feet and a delta angle of 12 degrees 26 minutes 25 seconds for 46.94 feet; thence on tangent to said curve for 9.14 feet; thence deflect to the right on a tangential curve having a radius of 954.93 feet and a delta angle of 11 degrees 48 minutes 39 seconds for 196.85 feet; thence on tangent to said curve for 17.53 feet; thence deflect to the right on a tangential curve having a radius of 168.52 feet and a delta angle of 11 degrees 55 minutes 17 seconds for 35.06 feet; thence deflect to the left on a tangential curve having a radius of 249.11 feet and a delta angle of 18 degrees 19 minutes 25 seconds for 79.67 feet; thence on tangent to said curve for 35 feet; thence deflect to the left on a tangential curve having a radius of 381.97 feet and a delta angle of 9 degrees 09 minutes 35 seconds for 61.06 feet; thence on tangent to said curve for 45.75 feet; thence deflect to the right on a tangential curve having a radius of 260.44 feet and a delta angle of 17 degrees 25 minutes 44 seconds for 79.22 feet; thence on tangent to said curve for 3.54 feet; thence deflect to the left on a tangential curve having a radius of 477.46 feet and a delta angle of 22 degrees 40 minutes 22 seconds for 188.94 feet; thence deflect to the left on a tangential curve having a radius of 138.06 feet and a delta angle of 53 degrees 52 minutes 41 seconds for 129.83 feet; thence on tangent to said curve for 101.44 feet; thence deflect to the left on a tangential curve having a radius of 477.46 feet and a delta angle of 12 degrees 29 minutes 50 seconds for 104.14 feet; thence on tangent to said curve for 248.85 feet; thence deflect to the right at an angle of 90 degrees 00 minutes 00 seconds for 145 feet; thence deflect to the right at an angle of 90 degrees 00 minutes 00 seconds for 243 feet; thence deflect to the left on a tangential curve having a radius of 716.20 feet and a delta angle of 13 degrees 53 minutes 07 seconds for 173.57 feet; thence deflect to the left on a tangential curve having a radius of 100.52 feet and a delta angle of 84 degrees 10 minutes 00 seconds for 147.66 feet; thence on tangent to said curve for 46.18 feet; thence deflect to the right on a tangential curve having a radius of 477.46 feet and a delta angle of 9 degrees 37 minutes 11 seconds for 80.16 feet; thence on tangent to said curve for 61.56 feet; thence deflect to the left on a tangential curve having a radius of 318.31 feet and a delta angle of 21 degrees 47 minutes 03 seconds for 121.02 feet; thence deflect to the right on a tangential curve having a radius of 381.97 feet and a delta angle of 15 degrees 41 minutes 05 seconds for 104.57 feet; thence deflect to the left on a tangential

curve having a radius of 477.46 feet and a delta angle of 13 degrees 47 minutes 03 seconds for 114.87 feet; thence on tangent to said curve for 87.99 feet; thence deflect to the right on a tangential curve having a radius of 1470.40 feet and a delta angle of 20 degrees 19 minutes 16 seconds for 521.15 feet; thence deflect to the left on a tangential curve having a radius of 204.63 feet and a delta angle of 38 degrees 46 minutes 39 seconds for 138.49 feet; thence on tangent to said curve for 359.42 feet and there terminating;

together with the area bound on the west by the west right of way line of Bryant Avenue North (formerly known as 20<sup>th</sup> Street) and its extensions, as dedicated with said plat of Gale's Second Addition to Minneapolis; bound on the south by the south right of way line of said 11<sup>th</sup> Avenue North and its extensions; and bound on the northeast by the southwesterly right of way line of 7<sup>th</sup> Street North as now opened and its extensions, except that part thereof which lies easterly of a line run parallel with and distant 3 feet westerly of said described "Line 1", is hereby vacated, with the exceptions as described below.

Streets in the above-stated specific legal description, some of which have been vacated by previous action, include and are commonly referred to as the following:

Aldrich Avenue North lying between Highway No. 55 and Interstate No. 94;  
Bassett Place lying between Highway No. 55 and 7<sup>th</sup> Street North;  
Bryant Avenue North lying between Highway No. 55 and 7<sup>th</sup> Street North;  
Colfax Avenue North lying between Highway No. 55 and Sumner Place;  
Sumner Place lying between Colfax Avenue North and 8<sup>th</sup> Avenue North;  
Dupont Avenue North lying between said Highway No. 55 and 11<sup>th</sup> Avenue North;  
Jewett Place lying between Highway No. 55 and 8<sup>th</sup> Avenue North;  
North Frontage Road of Highway No. 55 lying between said Highway 94 and Dupont Avenue North;  
8<sup>th</sup> Avenue North lying between Highway 94 and Emerson Avenue North;  
11<sup>th</sup> Avenue North lying between 7<sup>th</sup> Street North and Bryant Avenue North.

#### EXCEPTIONS

Such vacation shall not affect the portion of street or utility easements described in Document Nos. 3125799 and 3212226, recorded in the Office of the Hennepin County Recorder, that lie outside the above-described area to be vacated herein.

Such vacation shall not affect the existing authority of Reliant Energy, its successors and assigns, to that part of Bryant Avenue North to be vacated herein which lies within the area bound on the south by 8<sup>th</sup> Avenue North, bound on the east by a line lying 15 feet east of the centerline for the vacated portion of Bryant Avenue, bound on the north by 11<sup>th</sup> Avenue North, and bound on the west by a line lying 5 feet west of the centerline for the vacated portion of Bryant Avenue. Further, such vacation shall not affect the authority of Reliant Energy to operate, maintain, repair, remove or otherwise attend to the above-described utility facilities and said authority is hereby expressly reserved to the above-named corporation, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the corporation having utility facilities located within the area involved authorizing them to do so.

Such vacation shall not affect the existing authority of Metropolitan Council Environmental Services, its successors and assigns, to the following:

1. a 40-foot easement centered on the centerline of that part of Dupont Avenue North to be vacated herein that lies between the north line of Highway 55 and the north line of 8<sup>th</sup> Avenue North; and
2. a 40-foot easement centered on the centerline of that part of 8<sup>th</sup> Avenue North to be vacated herein that lies between the west line of Highway 94 and the west line of Dupont Avenue North.

Further, such vacation shall not affect the authority of Metropolitan Council Environmental Services to operate, maintain, repair, remove or otherwise attend to the above-described utility facilities and said authority is hereby expressly reserved to the above-named corporation, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said street upon or within the above-described areas without first obtaining the written approval of the entity having utility facilities located within the area involved authorizing them to do so.

Be It Further Resolved that, in recognition of the need to accommodate transfer of utility facilities to new locations, the existing authority of Reliant Energy, Xcel Energy, Qwest and the City of Minneapolis, their successors and assigns, shall be continued on a temporary basis as follows, to wit:

As to Reliant Energy:

1. The existing authority for that part of 8<sup>th</sup> Avenue North to be vacated herein and which lies between the west line of Bryant Avenue North and the west line of Highway No. 94, until September 15, 2002.

As to Xcel Energy:

1. The existing authority for that part of Bryant Avenue North to be vacated herein that lies between the north line of Highway No. 55 and the centerline of 8<sup>th</sup> Avenue North, until September 15, 2001; and
2. The existing authority for that part of Bryant Avenue North to be vacated herein that lies between the centerline of 8<sup>th</sup> Avenue North and the centerline of 11<sup>th</sup> Avenue North, until June 1, 2002.

As to Qwest:

1. The existing authority for that part of Bryant Avenue North to be vacated herein that lies between the north line of Highway No. 55 and the centerline of 8<sup>th</sup> Avenue North, until September 15, 2001; and
2. The existing authority for that part of Bryant Avenue North to be vacated herein that lies between the centerline of 8<sup>th</sup> Avenue North and the centerline of 11<sup>th</sup> Avenue North, until June 1, 2002.

As to the City of Minneapolis:

1. The existing authority for that part of vacated Aldrich Avenue North that lies between the north line of Highway No. 55 and the west line of Highway No. 94, until May 1, 2002; and
2. The existing authority for that part of Bryant Avenue North to be vacated herein that lies between the north line of Highway No. 55 and the centerline of 8<sup>th</sup> Avenue North, until October 15, 2001; and
3. The existing authority for that part of 8<sup>th</sup> Avenue North to be vacated herein that lies between the east line of Bryant Avenue North and the west line of Highway No. 94, until May 1, 2002; and
4. The existing authority for that part of 11<sup>th</sup> Avenue North to be vacated herein that lies between the east line of Bryant Avenue North and the west line of 7<sup>th</sup> Street North, until December 31, 2003.

Be It Further Resolved that the rights reserved to any entity other than the City of Minneapolis shall be subordinate to the rights reserved to the City of Minneapolis to the same extent that said rights would be subordinate if these streets had not been vacated.

Adopted. Yeas, 12; Nays none.

Absent - Niland.

Passed July 13, 2001. J. Cherryhomes, President of Council.

Approved July 19, 2001. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

#### **New Business**

Ostrow introduced an Ordinance amending Title 5, Chapter 109 of the Minneapolis Code of Ordinances relating to *Building Code: Signs and Billboards*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Repealing sections governing special signage restrictions within Minneapolis commercial corridors/nodes).



**JULY 13, 2001**

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Campbell moved to adjourn. Seconded.  
Adopted. Yeas, 12; Nays none.  
Absent - Niland.

Adjourned.

MERRY KEEFE,  
City Clerk.

Created 7/17/2001; Modified 7/23/2001; 08/07/2001